



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.08.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.13624 of 2019

And

W.M.P.No. 13698 of 2019

[Video Conferencing]

1. D.Vasanth

2. D.Dheivanai

...Petitioners

Versus

1. The District Collector
District Collector Office
Tiruvannamalai District.

2. The Tahsildar, Keelpennathur Taluk
Tiruvannamalai District.

...Respondents

PRAYER : - Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the second respondent to comply with the order of the first respondent dated 30.03.2016 passed in Na.Ka.No. 1405/2015/U.E.U/A2 to issue separate patta in favour of petitioners for the land situate in S.F.No. 135/5 situate in Keeranur Village, Tiruvannamalai District.

For Petitioners : Mr. K.Venkatasubban
for M/s.Saravabhauman Associates

For Respondents : Mr.K.M.D. Muhilan
Government Advocate

ORDER

The father of the petitioner herein was in possession of 18 cents of lands which was originally classified as natham poromboke in Keelpennaathur Taluk, Keeranur Village in S.F.No. 135/5. This 18 cents of lands was divided into two parts; 9 cents falling to the share of the first petitioner and another 9 cents falling to the share of her brother, who had in turn settled the said 9 cents to the second petitioner/daughter of the first petitioner.



2. It is claimed by the learned counsel for the petitioner that the then Secretary of the Panchayat, taking advantage of the situation in which the petitioners were put, had included the name of a lady Mrs. Chandra in the revenue records and the said Mrs. Chandra, started the illegal attempts to dispossess the petitioners herein. Therefore, the petitioners had filed an application seeking patta.

3. The first respondent/District Collector appears to have issued a direction to the second respondent/Tahsildar to also consider the representation of the petitioner in a time bound manner and pass necessary orders.

4. The second respondent had not taken any steps. The petitioner had also given a representation dated 21.01.2019 in this regard, a copy of which is filed along with the Writ Petition.

5. A Mandamus is issued to the second respondent/Tahsildar to act on the said representation of the petitioner herein and also on the directions of the first respondent/District Collector and invite the petitioners D.Vasanth and D.Dheivanai, for an enquiry and examine the revenue records, examine their holdings and thereafter also examine how Mrs.Chandra's name came to be included in the revenue records. If that is a wrong entry, the authority can grant patta in the names of the petitioners. Such exercise shall be completed by the Tahsildar within a period of 12 weeks from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is closed. No orders as to costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Vsg

To

1. The District Collector
District Collector Office
Tiruvannamalai District.
2. The Tahsildar, Keelpennathur Taluk
Tiruvannamalai District.



+1 CC to Mr.Sarvabhauman Associates, Advocate, Sr.No. 39887.
+1 CC to The Government Pleader, Sr.No. 40417.

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KSM(CO)
LS (31/08/2021)