



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.12768 of 2021

S.Ravichandran,
S/o. Late Sundaresa Mudaliar

... Petitioner

Vs.

1. The District Collector,
Tiruvallur District,
Tiruvallur.
 2. The District Revenue Officer,
Tiruvallur District,
Tiruvallur.
 3. The Revenue Divisional Officer,
Tiruvallur Revenue Division,
Tiruvallur.
 4. The Tahsildar,
Uthukottai Taluk,
Uthukottai,
Tiruvallur Dt.
 5. The Village Administrative Officer,
Krishnapuram Kandigai Revenue Village,
Kannigaipair Village and Post,
(via) Periyapalayam, Uthukottai Taluk,
Tiruvallur District - 601 102.
 6. Thiru K.S.Selvaganapathy, retired V.A.O.,
S/o. Late Sundaresa Mudaliar
- .. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd Respondent to consider and dispose of representation of the petitioner dated 19.10.2020 seeking cancellation of patta No.166 issued in the name of 6th respondent in respect of agricultural lands situate at Krishnapuram Kandigai Revenue Village, Kannigaipair Village, Uthukottai Taluk, Tiruvallur District comprised in S.No.251/12B measuring 0-04.50 Hec; Survey No.321/1 measuring 0-13.50; S.No.101 measuring 0-82.00 hec; S.No. 122 measuring 0-48.0 hec.; S.No.124 measuring 1-26.50 hec.; S.No.376 measuring 1-05.00 hec.; S.No.378 measuring 0-83.00 hec. totally measuring 4.62.50 hec. And issue joint patta.



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For Petitioner : Mr.S.Angamuthu

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate for R1 to R5

O R D E R

(The case has been heard through video conference)

The writ petition has been filed seeking a direction directing the 3rd respondent to consider and dispose of the representation of the petitioner dated 19.10.2020 seeking cancellation of patta No.166 issued in the name of 6th respondent in respect of agricultural lands situated at Krishnapuram Kandigai Revenue Village, Uthukottai Taluk, Tiruvallur District and issue joint patta.

2. In view of the order is going to be passed in the present Writ Petition, which will not prejudice the interest of the 6th respondent, notice to the 6th respondent is dispensed with.

3. The grievance of the petitioner is that, as it is a joint family property, the 6th respondent, who is brother of petitioner has obtained individual patta in his name without any notice to the petitioner. Hence, he has made a representation to the 3rd respondent to cancel the patta and to issue joint patta on 19.10.2020. But, so far, his representation was not considered and no order has been passed on it. Hence, the present writ petition has been filed by the petitioner.

4. Today, when the matter taken up for hearing, learned counsel appearing for petitioner would submit that, as it is a joint family property, all the legal heirs including the petitioner is having share, but, without any notice to the petitioner, an individual patta has been issued in favour of 6th respondent. Hence, he has made a representation to the respondents seeking to cancel the patta and issue joint patta. He would further submit that now, his representation is pending with the 3rd respondent Revenue Divisional Officer and so far, no order has been passed. Hence, the 3rd respondent may be directed to pass orders on merits within a time frame to be fixed by this Court.

5. Considering the limited prayer sought in the Writ Petition, without going into the merits of the case, the 3rd respondent is directed to consider the petitioner's representation and pass suitable orders on merits in accordance with law after hearing the petitioner as well as 6th



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respondent within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

rpp

To

1. The District Collector,
Tiruvallur District,
Tiruvallur.
2. The District Revenue Officer,
Tiruvallur District,
Tiruvallur.
3. The Revenue Divisional Officer,
Tiruvallur Revenue Division,
Tiruvallur.
4. The Tahsildar,
Uthukottai Taluk,
Uthukottai,
Tiruvallur Dt.
5. The Village Administrative Officer,
Krishnapuram Kandigai Revenue Village,
Kannigaipair Village and Post,
(via) Periyapalayam, Uthukottai Taluk,
Tiruvallur District - 601 102.

+1cc to Mr.S.Angamuthu, Advocate SR.No.28023

+1cc to the Government Pleader SR.No.28152

W.P.No.12768 of 2021

PL(CO)

RLP(16/07/2021)