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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.14280 of 2021

Tmt. Seethalakshmi @ Seetha,
W/o.late Maruthai

... Petitioner

Vs.

1. The District Collector,
Perambalur District,
Perambalur.
2. The Revenue Divisional Officer,
Perambalur, Perambalur Dt.
3. The Tahsildar,
Perambalur Taluk,
Perambalur Dt.
4. Sulochana
W/o. Zahir Bai
5. Anbazhaki,
W/o. Late Pandian
6. Rani,
W/o. Paramasivam
7. Jayanthi,
W/o. Kumar

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 3rd Respondent to consider the petitioner representation dated 24.03.2021 and to be conducted an enquiry under the Patta Pass Book Act with respect to the removal of respondents 4 to 7 illegally added their names in Patta No.2549 with respect of Survey No.388/2B of Elambalur Village, Perambalur Taluk by issuing notice to the petitioner and respondents 4 to 7 and to be given affordable opportunity to the petitioner.

For Petitioner : Mr.K.Sivakumar



For Respondents : Mr.Yogesh Kannadasan,
Government Advocate for R1 to R3

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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 the petitioner's representation dated 24.03.2021 and to conduct enquiry under Patta Pass Book Act with respect to the removal of respondents 4 to 7 illegally added their names in patta No.2549 by issuing notice to the petitioner and respondents 4 to 7.

2. In view of this order is going to be passed in the present Writ Petition, which will not prejudice the interest of the respondents 4 to 7, the notice to the respondents 4 to 7 are dispensed with.

3. According to the petitioner, in a family partition, the property has been given to the petitioner's father, subsequently, he has executed a Will giving half share to the petitioner and the remaining share to one Thanamani. Thereafter, a separate patta was issued in the name of petitioner and the above said Thanamani. Now, without notice to the petitioner, the respondents 4 to 7 have obtained absolute patta in their favour in respect of entire property. Hence, the petitioner has made an application to the 3rd respondent to issue separate patta in her favour on 24.03.2021, but, so far, her application was not considered and no order has been passed in it. Hence, the present writ petition has been filed by the petitioner.

4. 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 application and to pass suitable orders on merits in accordance with law after hearing the petitioner as well as respondents 4 to 7 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 III)

//True Copy//

Sub Assistant Registrar

rpp



To

1. The District Collector,
Perambalur District,
Perambalur.
2. The Revenue Divisional Officer,
Perambalur, Perambalur Dt.
3. The Tahsildar,
Perambalur Taluk,
Perambalur Dt.

+1cc to Mr.K.Sivakumar, Advocate, S.R.No.33058
+1cc to the Government Pleader, S.R.No.33532

W.P.No.14280 of 2021

ARIII (CO)
CT/17/08/2021