

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.03.2021

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.No.17371 of 2018

Chinnanarashiman
S/o.Mallaiya Naidu

... Petitioner

Vs.

1.The District Collector,
Krishnagiri,
Krishnagiri District.

2.The District Revenue Officer,
Krishnagiri,
Krishnagiri District.

3.Thasildar,
Hosur Taluk,
Krishnagiri District.

4.Prabavathi,
W/o.Periyanarashiman

5.Sathyanarayana Raju
Soppatti

... Respondents

Prayer: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 30.10.2017 requesting to cancel the patta issued in favour of the respondents 4 and 5 in respect of an extent of 1.85 acres of agricultural lands comprised in S.No.305/2 situated at Soppatti Village, Achcettipalli Panchayat Union Hosur Taluk, Krishnagiri District.

For Petitioner : Mr.K.Thiruvengadam

For Respondents : M/s.Madhumathi
Special Government Pleader
for R1 to R3

ORDER

This writ petition is filed for issuing a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 30.10.2017 requesting to cancel the patta issued in favour of the respondents 4 and 5 in respect of an extent of 1.85 acres of agricultural lands comprised in S.No.305/2 situated at Soppatti Village Achcettipalli Panchayat Union Hosur Taluk, Krishnagiri District.

2.It is the case of the petitioner that the petitioner and his brother namely, one Periyannarasiman are the co-owners of the property. The petitioner has produced the civil court decree before this Court wherein the suit filed by petitioner's brother holding that the brothers have equal right in the above lands. Thereafter, it is stated that the petitioner's brother illegally executed a settlement deed in favour of the fourth respondent who is his wife. It is further stated by the petitioner that the name of the petitioner's sister-in-law was included in the patta after deleting the name of the petitioner. Hence, the petitioner has given a representation to the respondent seeking for modification of the entries as per the decree of Civil Court decreeing that the petitioner is also the joint owner of the property.

3.In the above facts and circumstances, this Court having regard to the limited scope of the petition, without expressing any opinion on the merits of the petitioner's representation, directs the third respondent to consider the representation submitted by the petitioner dated 30.10.2017 and to dispose of the same in accordance with law, after holding enquiry and giving opportunity to the petitioner and the respondents 4 and 5. This exercise shall be done by the second respondent within a period of twelve weeks from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of.
No Costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

tta

To

1.The District Collector,
Krishnagiri,
Krishnagiri District.

2.The District Revenue Officer,
Krishnagiri,
Krishnagiri District.

3.Thasildar,
Hosur Taluk,
Krishnagiri District.

+1cc to the Government Pleader, Sr.18605

W.P.No.17371 of 2018

PMK (CO)
KM(20/04/2021)



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