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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2021

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.18833 of 2021

Rajendhiran

... Petitioner

Vs.

1. The Revenue Tashildar,
Veppur Taluk,
Taluk Office Veppur,
Cuddalore District.

2. The Village Administrative Officer,
Village Administrative Officer Office,
Adari Village,
Veppur Taluk,
Cuddalore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to change the patta from the petitioner's father deceased Ayyakkannu name in the land Survey No.164/6 D for an extent of 0.06 acres situated at Adari Village, Veppur Taluk, Cuddalore District to the petitioner's name Rajendhiran, by considering the representation of the petitioner dated 9.8.2021 in accordance with law.

For Petitioner : Mr.M.Velmurugan

For respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

The petitioner has filed a writ of mandamus to direct the first respondent to mutate the patta from the petitioner's deceased father viz., Ayyakkannu in Survey No.164/6 D to an extent of 0.06 acres situated at Adari Village, Veppur Taluk, Cuddalore District to the petitioner's name Rajendhiran by considering the representation of the petitioner dated 9.8.2021 in accordance with law.



2.The case of the petitioner is that the petitioner's father Ayyakkannu was holding an extent of 0.06 acres land in S.No.164/6D situated at Adari Village, Veppur Taluk, Cuddalore District which is an ancestral property. According to the petitioner, his father died on 16.07.1989 and Legal Heir certificate has been issued by the concerned Tahsildar on 14.10.2020 would clearly show that the petitioner is the only surviving legal heir and the daughter viz., Kolanchiyammal predeceased. According to the petitioner, he sent representations dated 01.08.2019 and 09.08.2021 for mutation of patta into his name, the same were not considered by the authorities.

3.The petitioner left with no other remedy except to approach this Court under Article 226 of the Constitution of India.

4.The learned Government Advocate for the respondents submits that if the petitioner submits application through on-line, the same will be considered by the authorities in accordance with law.

5.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents and perused the materials available on record.

6.On going through the averments, it is seen that the petitioner has sent representations dated 01.08.2019 and 09.08.2021, but no action was taken by the authorities for mutation of patta till date.

7.In view of the above, this Court is of the view that the petitioner is directed to approach the concerned authorities by way of submitting on-line application by enclosing all the relevant documents to show that the petitioner is the legal heir of the deceased Ayyakkannu within a period of two weeks from the date of receipt of a copy of this order. If any application is received from the petitioner within the said period, the respondents shall pass an appropriate orders in accordance with law after affording opportunity to the petitioner, within a period of 5 months from the date of receipt of the application.



8. With the above directions, this Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Revenue Tashildar,
Veppur Taluk,
Taluk Office Veppur,
Cuddalore District.

2. The Village Administrative Officer,
Village Administrative Officer Office,
Adari Village,
Veppur Taluk,
Cuddalore District.

+1CC to Government Pleader, Sr.No.45897/21

W.P.No.18833 of 2021

RLD (CO)
K.RK. (17.09.2021)