



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2021

CORAM:

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.No.19217 of 2021

R. Renuga

...Petitioner

Versus

1. The Principal Secretary,  
Land Administration,  
Ezhilagam, Chepauk,  
Chennai - 5.
2. The District Revenue Officer,  
Thiruvannamalai District,
3. The Revenue Divisional Officer,  
Office of Revenue Divisional Office,  
Thiruvannamalai.
4. The Tahsildar,  
Office of Tahsildar,  
Thiruvannamalai Taluk & District,
5. The Sub-Registrar Joint-I,  
SRO Office Durgai Amman Koil Street,  
Thiruvannamalai Town,  
Thiruvannamalai Taluk & District,
6. R.Kannan
7. S.Sundarraaj

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to conduct enquiry into the petitioner's representation dated 22.03.2021 as well as direction issued by the 1<sup>st</sup> respondent's office in letter Ref.No:R3/1102620/2021 dated 03.05.2021 and followed by a reminder dated 22.06.2021 and issue a joint patta by including the petitioner's name in respect of landed property measuring to an extent of 1.36 acres or 5507 Sq.Meters comprised in (old Survey No.1849/2) New Town Survey No.1849/3C2A1 and ryotwari manai measuring to an extent of 74.5 Square Meter comprised in



(old Survey No.833/Part) and new Town Survey No.833/2 in II ward, Block No.13 at Thiruvannamalai Town District, within a time frame as fixed by this Court.

WEB COPY

|                |                                         |
|----------------|-----------------------------------------|
| For Petitioner | : Mr.R.Veeramani                        |
| For RR1 to 5   | : Mr.V.Veluchamy<br>Government Advocate |
| For R6         | : No Appearance                         |
| For R7         | : Notice not served.                    |

#### ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the 2<sup>nd</sup> respondent to conduct enquiry into the petitioner's representation dated 22.03.2021 as well as direction issued by the 1<sup>st</sup> respondent's office in letter Ref.No:R3/1102620/2021 dated 03.05.2021 and followed by a reminder dated 22.06.2021 and issue a joint patta by including the petitioner's name in respect of landed property measuring to an extent of 1.36 acres or 5507 Sq.Meters comprised in (old Survey No.1849/2) New Town Survey No.1849/3C2A1 and ryotwari manai measuring to an extent of 74.5 Square Meter comprised in (old Survey No.833/Part) and new Town Survey No.833/2 in II ward, Block No.13 at Thiruvannamalai Town District, within a time frame as fixed by this Court.

2. The case of the petitioner is that she is a senior citizen and her deceased father Raju Chettiyar, owned and possessed of property in New Town Survey No.1849/3C2A1, measuring to an extent of 1.36 Acres or 5507 Sq.Meters of land with house thereon and another property of 74.5 Sq.Meters comprised in (Old Survey No.833/Part) and New Town Survey No.833/2 in II ward, Block No.13 at Thiruvannamalai Town District. Thereafter, her father died intestate on 10.12.1981 leaving behind his wife Vijayalakshmi and two sons R.Kannan and R.Sugumar and two daughters Ramani and Renuka. After the demise of her parents, the sixth and seventh respondents' father attempted to grab the property without providing the petitioner's due share. In the meanwhile, the petitioner filed a suit for partition in O.S.No.331 of 2016 before the Principal Sub- Court, Thiruvannamalai and the same is pending. Subsequently, she filed in W.P.No.19404 of 2020 and the same was ordered on 21.12.2020 by directing the 4<sup>th</sup> respondent/Sub-Registrar to consider the petitioner's protest petition after affording an opportunity to all the parties concerned and pass appropriate orders. Thereafter, the petitioner was informed that the sale deed presented by the sixth and seventh respondents' father was refused. Thereafter, at the time of updating the Revenue Records her brothers' name alone had been entered in



respect of property in Survey No.1849/3C2A1 and in the name of deceased Sugumar in respect of property in Survey No.833/2 in the UDR patta, chita, Town Survey SLR etc., had been entered. However, the legal heirs certificate issued by the Taluk Office confirms the name of the petitioner as one of the legal heirs of deceased Raju Chettiyar, but the petitioner's name had not been entered in the Revenue Records as a joint and co-owner of the said property. Hence, the above said mistake done by the Revenue Authorities, the mischief by the 6<sup>th</sup> and 7<sup>th</sup> respondents' father to defeat the petitioner rights and they are not the absolute owner of the property and the petitioner is the co-owner of the property. Therefore, the entry of their names in the Revenue Records is a mistake and requires to be rectified by the Revenue Authorities. Hence, the petitioner submitted a representation dated 22.03.2021 to the respondents 1 and 2 to conduct an enquiry, but, till date, no action has been taken by the respondents. Hence this petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents to consider the petitioner's representation dated 22.03.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents to consider the petitioner's representation dated 22.03.2021 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and respondents within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

gba

To

1. The Principal Secretary,  
Land Administration,  
Ezhilagam, Chepauk,  
Chennai - 5.



2. The District Revenue Officer,  
Thiruvannamalai District,
3. The Revenue Divisional Officer,  
Office of Revenue Divisional Office,  
Thiruvannamalai.
4. The Tahsildar,  
Office of Tahsildar,  
Thiruvannamalai Taluk & District,
5. The Sub-Registrar Joint-I,  
SRO Office Durgai Amman Koil Street,  
Thiruvannamalai Town,  
Thiruvannamalai Taluk & District,

+1cc to Mr.R.Veeramani, Advocate, SR.No.52983

W.P.No.19217 of 2021

SSV(CO)  
KKV/26/11/2021