



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No. 22463 of 2021

D.Balasundaram

..Petitioner

Versus

1.The District Revenue Officer,  
O/o. District Collector,  
Ranipet District.

2.The Revenue Divisional Officer,  
O/o. Revenue Divisional Officer,  
Ranipet District.

3.The Tahsildar,  
Arakkonam Taluk,  
Ranipet District.

4.Mrs.D.Varalakshmi

5.Rami

6.Mrs.Lakshmi

7.Mr.Kuppan

8.Mr.D.Deenadayalan

9.Mrs.V.Anandhi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 3<sup>rd</sup> respondent to pass orders on the representation dated 24.08.2021 by issuing joint patta to the legal heirs of Late Duraisamy Naidu for the survey Numbers 212, 252/4, 255/1, 390/5, 391/6, 318/1B, 255/2, 255/3, 255/4, 255/5, 258/1, 258/2, 258/3, 258/4, 259/10, 259/11A, 259, 11B, 259/12, 259/13, 259/14, 259/16, 259/17A, 259/17B, 259/18, 259/19, 259/2, 259/5, 259/6, 259/7, 259/8, 259/9 & 306/11 at Kizhpakkam Madura Rajapalayam Village, Arakkonam Taluk, Ranipet District.

For Petitioner : Mr.C.Balasundar

For Respondents: Mr.V.Veluchamy

Government Advocate for R1 to R3



## ORDER

This Writ Petition is filed for issuing a Writ of Mandamus, directing the 3<sup>rd</sup> respondent to pass orders on the representation dated 24.08.2021 by issuing joint patta to the legal heirs of Late Duraisamy Naidu for the survey Numbers 212, 252/4, 255/1, 390/5, 391/6, 318/1B, 255/2, 255/3, 255/4, 255/5, 258/1, 258/2, 258/3, 258/4, 259/10, 259/11A, 259, 11B, 259/12, 259/13, 259/14, 259/16, 259/17A, 259/17B, 259/18, 259/19, 259/2, 259/5, 259/6, 259/7, 259/8, 259/9 & 306/11 at Kizhpakkam Madura Rajapalayam Village, Arakkonam Taluk, Ranipet District.

2. The case of the petitioner is that the petitioner is the owner of the land in S.Nos.255/2, 255/3, 255/4, 255/5, 259/3, 259/4, 259/7, 259/8, 259/12, 259/15, 259/10, 259/21 measuring an extent of 65 cents situated at Kizhpakkam Madura Rajapalayam Village, Arakkonam Taluk, Ranipet District, by registered sale deeds dated 21.01.1980, 22.01.1980 and 04.06.1980 and registered as document Nos.75/1980, 78/1980 and 2338/1980 respectively at SRO Arakkonam and the petitioner is in possession and enjoyment of the said properties for the past 41 years. The petitioner's father is the owner of the land in S.Nos.212, 252/4, 255/1, 390/5, 391/6, 318/1B, 255/2, 255/3, 255/4, 255/5, 258/1, 258/2, 258/3, 258/4, 259/10, 259/11A, 259, 11B, 259/12, 259/13, 259/14, 259/16, 259/17A, 259/17B, 259/18, 259/19, 259/2, 259/5, 259/6, 259/7, 259/8, 259/9 & 306/11 at Kizhpakkam Madura Rajapalayam Village, Arakkonam Taluk, Ranipet District. Petitioner's father died on 25.02.1998 and his mother died on 07.09.2001. The above said properties were not partitioned and hence the petitioner filed a suit in O.S.No.118/2012 before the District Munsif Court, Arakkonam seeking for partition of 1/7 share for the above said property.

3. The suit was decreed in favour of the petitioner and the District Munsif Court, Arakkonam passed a judgment and decree on 14.08.2015 and partitioned the said property as 1/7<sup>th</sup> share among the legal heirs of his father. There is no dispute in the property and the District Munsif Court decreed the suit, hence the petitioner claims right over 1/7<sup>th</sup> share of the said property. Hence, the patta was stand in the name of the petitioner's father. Therefore, the petitioner requested the 3<sup>rd</sup> respondent to issue joint patta in favour of the legal heirs of the late Duraisamy, but the 3<sup>rd</sup> respondent not considered the same. Hence, the petitioner made a representation to the respondents on 24.08.2021 to issue joint patta for the 212, 252/4, 255/1, 390/5, 391/6, 318/1B, 255/2, 255/3, 255/4, 255/5, 258/1, 258/2, 258/3, 258/4, 259/10, 259/11A, 259, 11B, 259/12, 259/13, 259/14, 259/16, 259/17A, 259/17B, 259/18, 259/19, 259/2, 259/5, 259/6, 259/7, 259/8, 259/9 & 306/11 at Kizhpakkam Madura Rajapalayam Village, Arakkonam Taluk, Ranipet District, but the



respondents has not taken any steps in this regard. Hence, the petitioner has come forward with the present writ petition before this Court.

4. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the 3<sup>rd</sup> respondent to consider the petitioner's representation dated 24.08.2021 and dispose of the same within a stipulated time that may be framed by this Court.

5. 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 3<sup>rd</sup> respondent to consider the petitioner's representation dated 24.08.2021 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.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssn

To

1.The District Revenue Officer,  
O/o. District Collector,  
Ranipet District.

2.The Revenue Divisional Officer,  
O/o. Revenue Divisional Officer,  
Ranipet District.

3.The Tahsildar,  
Arakkonam Taluk,  
Ranipet District.

+1CC to the Government Pleader, Sr.No.54616

W.P.No. 22463 of 2021

RLD(CO)  
SB(17/11/2021)