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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.23532 of 2021

Alagusundaram

...Petitioner

Versus

1. The District Collector,
Krishnagiri,
Krishnagiri District.
2. The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.
3. The Tahsildar,
Kattiganapalli Village,
Krishnagiri Taluk,
Krishnagiri District.
4. The Village Administrative Officer,
Kattiganapalli Village,
Krishnagiri Taluk,
Krishnagiri District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to issue patta in S.No.199/1B3A measuring to an extent of 2720 sqft Kattiganapalli Village, Krishnagiri Taluk and District in the name of the petitioner and 2 others based on the petitioner's representation dated 06.10.2021.

For Petitioner : Mr. V.Sakkarapani

For Respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents to issue patta in



S.No.199/1B3A measuring to an extent of 2720 sqft Kattiganapalli Village, Krishnagiri Taluk and District in the name of the petitioner and 2 others based on the petitioner's representation dated 06.10.2021.

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2. The property in S.No.199/1B3 measuring to an extent of 2720 sqft., which is situated at Kattiganapalli Village, Krishnagiri Taluk and District, was purchased by his wife namely Karpagam along with two others by way of a registered sale deed vide Document No.451/2010, dated 12.02.2010 on the file of Sub-Registrar Office-2, Krishnagiri. Subsequently, on 28.02.2010, certificate of possession and enjoyment was issued by the Village Administrative Officer in favour of the above said persons. Thereafter, on 02.03.2010 and 05.03.2011, certificates regarding planning permission were issued by the President, Kattiganapalli Panchayat in the name of the above said persons. Pursuant to the same, they submitted an application before the respondents for transferring the patta and sub-division of the land in their favour. Meanwhile, the petitioner's wife/Karpagam died intestate on 10.01.2015 leaving behind the petitioner and his children as her sole legal heirs. Subsequently, the petitioner submitted an on-line application No.2021/0105/31/280539, dated 02.07.2021 to the respondents and again, he sent another written representation dated 09.08.2021 to the respondents, after a lapse of 10 years, the same was acknowledged by the respondents and the 1st respondent through his letter dated 01.09.2021 directed the 2nd respondent to take necessary steps on the representation of the petitioner dated 09.08.2021 and finally, the petitioner sent another representation to the respondents dated 06.10.2021, 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 06.10.2021 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 06.10.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner and necessary



parties concerned within a period of sixteen weeks from the date of receipt of a copy of this order. No costs.

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Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gba

To

1. The District Collector,
Krishnagiri, Krishnagiri District.
2. The Revenue Divisional Officer,
Krishnagiri, Krishnagiri District.
3. The Tahsildar,
Kattiganapalli Village,
Krishnagiri Taluk, Krishnagiri District.
4. The Village Administrative Officer,
Kattiganapalli Village,
Krishnagiri Taluk, Krishnagiri District.

+1 cc to Mr. V.Sakkarapani, Advocate Sr.No.56470
+1 cc to the Government Pleader, Sr.57663

W.P.No.23532 of 2021

KSM[co]
NSK 09/12/2021