



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.31117 of 2019

G.Amsaveni

.. Petitioner

Vs.

1. The Tahsildar,
Pallavaram Taluk,
Kancheepuram District.

2. Revenue Divisional Officer,
Pallavaram, Chennai - 600 043.

3. The District Revenue Officer,
Kancheepuram District,
Kancheepuram.

4. A.Sivasankaran

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing respondents 1 to 3 to consider and dispose of the petitioner's representation dated 24.09.2019, within the time frame as may be fixed by this Court to cancel the patta issued in the name of fourth respondent in patta No.379 RPT 15975/11, dated 13.10.2011 and consequently issue the patta in the name of the petitioner.

For Petitioner : Mr.G.V.Sridharan

For Respondents 1 to 3 : Mr.K.M.D.Muhilan,
Government Advocate

For Respondent 4 : No appearance

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O R D E R

(The case has been heard through video conference)

Writ petition has been filed seeking a direction to the respondents 1 to 3 to consider the petitioner's representation to cancel the patta granted in favour of the fourth respondent.



2. According to the petitioner, her husband purchased a property measuring an extent of 5 cents in Survey No.41/2, Ayyapanthangal village, Sriperumbudur Taluk, Kancheepuram District from one Mr.Arumugam Maistry and he died in the year 2002. Thereafter, the legal heirs have executed a release deed in the year 2010 in favour of the petitioner and she became the absolute owner of the property and she is in possession and enjoyment of the same. Thereafter, when she applied for transfer of patta, she came to know that the fourth respondent obtained patta in the year 2011. Hence, she sent a representation to the respondents 1 to 3 to cancel the said patta issued to the fourth respondent as the same was not considered, the present writ petition has been filed by the petitioner.

3. The first respondent Tahsildar filed a status report stating that the patta now stands in the name of the fourth respondent in the Gramma Natham Settlement Records of Ayyapanthangal village. He further stated that the second respondent RDO is the authority empowered to resolve such patta transfer disputes and that he had already sent his detailed report to the second respondent to proceed further in the matter and the matter is now pending enquiry before the second respondent RDO.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3. Notice has been served on the fourth respondent and the name of the fourth respondent was also printed in the cause list but none represented the fourth respondent.

5. Considering the limited prayer sought for by the petitioner without expressing any opinion on the merits of the case, this Court directs the second respondent RDO to proceed with the enquiry and after giving an opportunity of hearing to the petitioner as well as the fourth respondent, pass suitable orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Tahsildar,
Pallavaram Taluk,
Kancheepuram District.
2. Revenue Divisional Officer,
Pallavaram, Chennai - 600 043.
3. The District Revenue Officer,
Kancheepuram District,
Kancheepuram.

+1CC to Mr.G.V.Sridharan, Advocate, Sr.No.33361/21

W.P.No.31117 of 2019

GP (CO)
K.RK. (04.08.2021)