



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.8975 of 2021

Silumpayee

...Petitioner

Vs.

1. The District Revenue Officer,
Collectorate Campus,
Karur, Karur District.

2. The Sub Collector/REvenue Divisional Officer,
Kulithalai, Karur District.

3. The Tahsildar,
Kulithalai,
Karur District.

4. Sangapillai

... Respondents

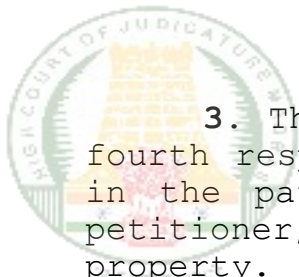
Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 to remove the fourth respondent name from patta No.439 of the petitioner family ancestral property bearing Survey Nos.39/2B, 40/1B, 41/1E, situated at Vadacheri Village, Kulithalai Taluk, Karur District.

For Petitioner : Mr.R.Murugappan
For R1 to R3 : Mr.K.P.Narayanakumar
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to act upon the representation made by the petitioner on 23.04.2021, wherein, the petitioner has sought for the removal of the name of the fourth respondent from the revenue records and to issue patta in the name of the petitioner with respect to the subject property.

2. The case of the petitioner is that the subject property is the ancestral property of the petitioner and on the demise of her mother and her husband, she has become the owner of the property.



3. The further case of the petitioner is that the name of the fourth respondent has been included in the "A" Register as well as in the patta issued by the third respondent. According to the petitioner, the fourth respondent has no right or title over the property.

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4. The petitioner, therefore, made a representation before the respondents 1 to 3 seeking to remove the name of the fourth respondent from the "A" register and the patta. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.R.Murugappan, learned counsel appearing on behalf of the petitioner and Mr.K.P.Narayanakumar, learned Special Government Pleader appearing on behalf of the respondents 1 to 3.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 23.04.2021 and deal with the same on its own merits and in accordance with law, after affording opportunity to the petitioner and the fourth respondent and pass appropriate orders within a period of eight (08) weeks from the date of receipt of a copy of this order.

7. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

8. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (PA)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The District Revenue Officer,
Collectorate Campus,
Karur, Karur District.
2. The Sub Collector/REvenue Divisional Officer,
Kulithalai, Karur District.



3. The Tahsildar,
Kulithalai,
Karur District.

+1 CC to M/s.GP (SR-18439[F] dated 03/05/2021)

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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

Order made in
W.P. (MD) .No.8975 of 2021

Dated:
30.04.2021

AS (08.06.2021) 3P 5C