



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.9014 of 2021

K.Kalaiselvi

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Thoothukudi District.
- 2.The Additional District Collector,
O/o. Additional District Collector Office,
Thoothukudi District.
- 3.The Revenue Divisional Officer,
Thoothukudi Revenue Divisional Office,
Thoothukudi District.
- 4.The Tahsildar,
Thoothukudi Taluk Office,
Thoothukudi District,
Dindigul District.
- 5.Mr.Kaleeswaran
- 6.Mr.Chelladurai
- 7.Tmt.Kangammal

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents NO.3 & 4 to include the petitioner's name along with the respondents No.5 to 7 in the existing Patta Nos.1069, 1868 in so far as the petitioner ancestral property situated in S.Nos.229/2B, 229/2E, 349/1B, 350/1, 350/2C, 350/21, 461/69 and 509/2 and 350/2E at Sangaraperi Village, Thoothukudi Taluk, Thoothukudi District and existing patta No.2636, 5996, 1497 in S.Nos.135/2A, 137/1, 75/1D, 317/1, 317/3 at Meelavittan Part I Village, Thoothukudi Taluk, Thoothukudi District, in the light of proceedings made by the 2nd respondent in Na.Ka.D6/20325/2017, dated 29.11.2019, by considering the petitioner's representation, dated 19.01.2021, within the time stipulated by this Court.



For Petitioner : Mr.I.Pinaygash
For Respondents : Mr.K.P.Narayanakumar
Special Government Pleader

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ORDER

This Writ petition has been filed for the issuance of Writ of Mandamus, directing the third and fourth respondents to include the name of the petitioner along with the names of respondents 5 to 7 in the existing patta with respect to the subject property in the light of the proceedings of the second respondent, dated 29.11.2019, after considering the representation made by the petitioner, on 19.01.2021.

2.The case of the petitioner is that by virtue of the proceedings of the second respondent, dated 29.11.2019, the petitioner is entitled to include her name in the patta in patta Nos.1069 and 1868. According to the petitioner, all the properties are ancestral properties and already the right of the petitioner was recognized by the second respondent in the above proceedings and a direction was given to include the name of the petitioner in patta No.4899, with respect to the S.No.135/1A.

3.The petitioner has made a representation in this regard, on 19.01.2021 and since the same did not evoke any response, the present writ petition has been filed before this Court, seeking for appropriate directions.

4.Heard Mr.I.Pinaygash, learned counsel for the petitioner and Mr.K.P.Narayanakumar, learned Special Government Pleader, for the respondents.

5.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 fourth respondent to consider the representation made by the petitioner, on 19.01.2021 and deal with the same on its own merits and in accordance with law and also take into consideration the earlier proceedings of the second respondent, dated 29.11.2019, after affording opportunity to the petitioner and the respondents 5 to 7 and pass orders, within a period of six weeks from the date of receipt of a copy of this order.

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



7.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS)

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.

To

- 1.The District Collector,
Collectorate,
Thoothukudi District.
- 2.The Additional District Collector,
O/o. Additional District Collector Office,
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- 3.The Revenue Divisional Officer,
Thoothukudi Revenue Divisional Office,
Thoothukudi District.
- 4.The Tahsildar,
Thoothukudi Taluk Office,
Thoothukudi District,
Dindigul District.

+1 CC to M/s.GP (SR-18438[F] dated 03/05/2021)

W.P. (MD) .No.9014 of 2021

30.04.2021

AS (07.06.2021) 3P 6C