



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.19692 of 2021

T.Chellammal

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Karur District.

2.The Revenue Divisional Officer,
District Collectorate,
Karur District.

3.The Tahsildar,
Karur Taluk,
Karur District.

4.Ponnusamy

5.Muthusamy ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to conduct the enquiry and alter the entries in Patta Nos.2249, 1347, 2808, 2523 and 1552 based on petitioner's representation dated 30.09.2021.

For Petitioner : M/s.V.Vilma Remy

For R-1 to R-3 : Mr.N.Satheesh Kumar

Additional Government Pleader.

For R-4 and R-5 : Mr.B.Poonupandi

ORDER

When the matter had come up earlier, an opportunity was granted to respondents 4 and 5 to file their counter. It is seen that the issue is primarily between the petitioner and the respondents 4 and 5 who are sister and brothers. The petitioner herein is aged about 65 years. All these factors necessitate and compel me to pass an order in the present Writ Petition.

2. This Writ Petition has been filed in the nature of Mandamus seeking a direction to the second respondent/ the Revenue Divisional Officer, Karur to conduct an inquiry with respect to the entries in the Patta Nos.2249,1347, 2808, 2523 and 1552. The petitioner had given a representation on 30.09.2021 in this regard.



3. In the affidavit filed in support of the Writ Petition, the petitioner had stated that her father, K.Veeramalaipillai, who incidentally is also the father of the respondents 4 and 5, had died intestate leaving behind his wife, Sirumbayee Ammal and five children namely, Kaliyammal (died), Ponnusamy/the fourth respondent, Muthusamy/the fifth respondent, T.Chellammal/the petitioner herein and Chinnammal. The mother, Sirumbayee Ammal, also died in the year 2004.

4. It is claimed that the properties are ancestral properties. It is also claimed that the respondents 4 and 5 had mutated the revenue records in their names to the adverse interest of the petitioner and other sisters. In this connection, the petitioner had given a representation on 30.09.2021 to the respondents.

5. A direction is given to the third respondent / the Tahsildar, Karur Taluk, Karur District, to act on the said representation given by the petitioner by issuing notice to the petitioner. Such notice must be issued to the petitioner for appearance and for a hearing on or before 10.01.2022. Simultaneously, notice may also be issued to all the legal heirs and more particularly to Ponnusamy and Muthusamy / respondents 4 and 5 and also to the other sister, Chinnammal and also to the children of Kaliyammal, another sister, if there are any children. After hearing all the parties, the third respondent may examine the mutation of the records already done and pass a considered order. If it is not within his scope and authority to pass any positive order, he may direct the parties to the correct authority by whom such an order can be passed. The inquiry should be completed within a period of sixteen (16) weeks from the date of first appearance of the parties before the third respondent / the Tahsildar, Karur Taluk, Karur District.

6. With the said observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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 order that is presented is the



correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
District Collectorate,
Karur District.

2.The Revenue Divisional Officer,
District Collectorate,
Karur District.

3.The Tahsildar,
Karur Taluk,
Karur District.

**W.P. (MD) .No.19692 of 2021
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MGJ(07.01.2022) 3P 4C