



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4144 of 2022

S.Noorjahan

... Petitioner

Vs.

1. The District Collector,
Perambalur District.
2. The Revenue Divisional Officer,
Divisional Officers Office,
Perambalur.
3. The Tahsildar,
Kunnam Taluk,
Perambalur District.

4. S.Aliraja

... Respondents

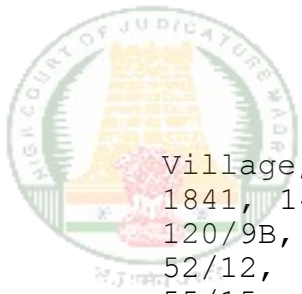
Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to consider and pass orders on the representation dated 01.11.2021 to cancel the Patta pertaining to the property in Pennakonam North Revenue Village, Kunnam Taluk, Perambalur District in Patta Nos.471, 1841, 1491, 1003 and 915, 1568, comprised in Survey Nos. 119/13, 120/9B, 120/10B, 122/4, 27/33, 48/6, 49/4A, 50/2, 52/10, 52/11, 52/12, 52/16, 52/8, 52/9, 55/10, 55/11, 55/12, 55/14, 55/16, 55/15, 55/17, 55/18, 56/20, 56/21, 56/22, 83/7A, 83/7B, 97/10, 97/11, 97/2, 97/8, 97/9A, 97/9B, 143/1C, 100/3C, 143/4A4, 97/16, 97/17, 100/4B, 101/6A and Plot Tax Patta No.963, Natham New Survey No.255/22 and Old Survey No.141/3 in the name of the 4th respondent after conducting due enquiry within time frame.

For petitioner : Ms.T.Dharani

For Respondents : Mr.A.Anandan
Government Advocate

ORDER

The petitioner has filed this petition to consider and pass orders on the representation dated 01.11.2021 to cancel the Patta pertaining to the property in Pennakonam North Revenue



Village, Kunnam Taluk, Perambalur District in Patta Nos.471, 1841, 1491, 1003 and 915, 1568, comprised in Survey Nos. 119/13, 120/9B, 120/10B, 122/4, 27/33, 48/6, 49/4A, 50/2, 52/10, 52/11, 52/12, 52/16, 52/8, 52/9, 55/10, 55/11, 55/12, 55/14, 55/16, 55/15, 55/17, 55/18, 56/20, 56/21, 56/22, 83/7A, 83/7B, 97/10, 97/11, 97/2, 97/8, 97/9A, 97/9B, 143/1C, 100/3C, 143/4A4, 97/16, 97/17, 100/4B, 101/6A and Plot Tax Patta No.963, Natham New Survey No.255/22 and Old Survey No.141/3 in the name of the 4th respondent after conducting due enquiry within time frame.

2. Mr.A.Anandan, learned Government Advocate takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. Since, no adverse order is being passed against the fourth respondent, notice to the fourth respondent is dispensed with.

4. The case of the petitioner is that the fourth respondent is the brother of the petitioner. The petitioner father had died intestate on 30.03.2004 leaving behind the petitioner, her mother, her brothers and sisters as legal heirs to succeed to the properties comprised in Patta Nos.471, 1841, 1491, 1003, 915 and 1568 at Pennakonam North Revenue village, Kunnam Taluk, Perambalur District. However, the fourth respondent had illegally obtained Patta in his name for the above said properties, for which the petitioner made a representation on 01.11.2021 to the respondents to cancel the Patta granted in favour of the fourth respondent. However, till date no action has been taken by the respondents on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the respondents to consider the petitioner's representation dated 01.11.2021 within the time frame that may be fixed by this Court.

6. The learned Government Advocate appearing for the respondents submits that the petitioner's representation dated 01.11.2021 will be considered by the respondents within the time frame that may be fixed by this Court.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the official respondents to consider the petitioner's representation dated 01.11.2021, and pass appropriate orders within a period of



twelve weeks from the date of receipt of a copy of this order, after affording an opportunity to the fourth respondent.

8. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Perambalur District.
2. The Revenue Divisional Officer,
Divisional Officers Office,
Perambalur.
3. The Tahsildar,
Kunnam Taluk,
Perambalur District.

+1cc to Mr.T.Dharani, Advocate, S.R.No.13250

+1cc to the Government Pleader, S.R.No.13804

W.P.No.4144 of 2022

GPL (CO)
SU(17/03/2022)