



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4623 of 2022

S.Sekar

... Petitioner

Vs.

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Thiruvannamalai District,
Thiruvannamalai - 632 301.
3. The Tahsildar,
Office of Tahsildar,
Polur Taluk,
Thiruvannamalai District.
4. Kandimathi

... Respondents

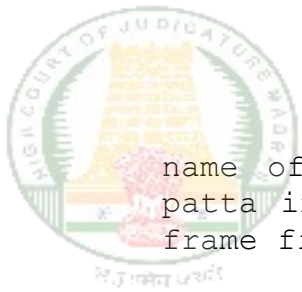
PRAYER: The Writ Petition filed under Section 226 of Constitution of India, pleased to issue Writ of Mandamus directing the 3rd respondent to conduct an enquiry on the petition dated 05.08.2021 under the Revenue Act for cancellation of the Joint Pattas standing in the name of 4th respondent and petitioner for issuing a fresh patta in favour of the petitioner and pass orders within the fixed time frame by this Hon'ble Court.

For Petitioner : Mr.A.Panneerchelvam

For Respondents : Mr.A.Anandan,
Government Advocate

O R D E R

Writ Petition has been filed to direct the 3rd respondent to conduct an enquiry on the petition dated 05.08.2021 under the Revenue Act for cancellation of the Joint Pattas standing in the



name of 4th respondent and petitioner and for issuing a fresh patta in favour of the petitioner and pass orders within a time frame fixed by this Court.

2. Mr.A.Anandan, learned Government Advocate takes notice for the respondents 1 to 3.

3. Since, no adverse order is being passed against the 4th respondent, notice to the 4th respondent is dispensed with.

4. The case of the petitioner is that he had acquired the properties by way of a registered Will dated 25.06.2002, from his mother Jayalakshmi. While being so, the petitioner had approached the 3rd respondent to obtain Patta in respect of the subject properties in his favour. However, the properties admittedly stands in the name of the Joint Patta holders. Therefore, the petitioner had made a representation on 26.07.2021 before the 2nd respondent that the petitioner is the sole proprietor of the properties mentioned in Patta No.205, 406 and 437 by virtue of the registered Will on 25.06.2002 and to cancel the Joint Pattas issued in favour of the 4th respondent and the petitioner and also for issuance of a separate patta in his favour. Subsequently, the petitioner had made a representation to the 3rd respondent to cancel the joint pattas and to issue a fresh patta in his name. Since, no steps have been taken by the respondents 2 & 3, the petitioner had made a representation before the 1st respondent for cancellation of the joint pattas and to transfer the patta in his favour on 04.12.2021. However, till date, the same has not been considered. Hence, the present petition has been filed seeking the aforesaid relief.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the 3rd respondent to conduct an enquiry on the petitioner's representation dated 05.08.2021 and dispose of the same in accordance with law within a particular time frame fixed by this Court.

6. The learned Government Advocate appearing for the respondents 1 to 3 has no objection to the said order being passed.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 3rd respondent to consider the petitioner's representation dated 05.08.2021 on merits and in accordance with law and pass



appropriate orders after providing opportunity to the 4th respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

rgi/nhs

To

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Thiruvannamalai District,
Thiruvannamalai - 632 301.
3. The Tahsildar,
Office of Tahsildar,
Polur Taluk,
Thiruvannamalai District.

+lcc to Mr.H.Panneerchelvam, Advocate SR.No.14215
+lcc to the Government Pleader SR.No.15085

W.P.No.4623 of 2022

AJS (CO)
GN(24/03/2022)