

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.3032 OF 2018

Savithri

...Petitioner

Vs.

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Ponneri,
Thiruvallur District.

3.The Tahsildar,
Ponneri Taluk,
Thiruvallur District.

4.K.Mukunthan

5.K.Ramamurthi

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider the petitioner representation dated 24.11.2017 as per the direction of the first respondent order in O.M.27193/2017/B3, dated 30.11.2017 and consequently direct the second respondent to cancel the patta No.5740 issued in favour of the 4th and 5th respondent and issue joint patta in favour of all legal heirs of Late Kannan with in stipulated period.

For Petitioner : Ms.P.Ramya

For Respondents : Mr.G.Krishna Raja for R1 to R3
Additional Government Advocate
Ms.S.C.Padmini for R4 and R5

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent to consider

the petitioner's representation dated 24.11.2017 as per the direction of the first respondent order in O.M.27193/2017/B3, dated 30.11.2017 and consequently direct the second respondent to cancel the patta No.5740 issued in favour of the respondents 4 and 5 and to issue joint patta in favour of all the legal heirs of Late Kannan within a stipulated period.

2.The case of the petitioner is that the petitioner's father owned the disputed property and it was his self acquired property. After his demise, the petitioner's mother executed settlement deed in favour of respondents 4 and 5/ petitioner's brothers leaving behind the female legal heirs including the petitioner. Hence, the petitioner made representation to the first respondent to cancel the patta issued in favour of the respondents 4 and 5, in respect of the disputed property and to issue joint patta in favour of all the legal heirs. The first respondent instructed the second respondent to enquire about the petitioner's representation and to report, however, there was no further action. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submitted that this Court may issue direction to the second respondent to consider the petitioner's representation dated 24.11.2017 as per the direction of the first respondent order in O.M.27193/2017/B3, dated 30.11.2017 and to pass appropriate orders within a reasonable time frame.

4.Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioner's representation dated 24.11.2017, on merits and in accordance with law and as per the direction of the first respondent in the order in O.M.27193/2017/B3, dated 30.11.2017 and to pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

5.This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

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To

- 1.The District Collector,
Thiruvallur District,
Thiruvallur.
- 2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Ponneri,
Thiruvallur District.
- 3.The Tahsildar,
Ponneri Taluk,
Thiruvallur District.

+1cc to the Government Pleader Sr.No.37689

W.P.No.3032 of 2018

AK-II (CO)
RVM(11/07/2022)