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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.2847 of 2022

K.Rajamalli

... Petitioner

Vs.

1. The District Collector of Villupuram,
Collector Office,
Villupuram,
Villupuram District.

2. The Revenue Divisional Officer,
Revenue Divisional office,
Tindivanam,
Villupuram District.

3. The Tahsildar,
Gingee Taluk,
Villupuram District.

4.Govindasamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents one to three to consider the petitioner's representation dated 30.09.2019 and also direct the respondents one to three to cancel the patta illegally issued in favour of the fourth respondent.

For Petitioner	:	Ms.S.Suseela Devi
For Respondents	:	Mr.M.Murali Government Advocate

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 30.09.2019 and also to direct the respondents 1 to 3 to cancel the patta illegally issued in favour of the fourth respondent.

2. The learned Government Advocate takes notice for the



official 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.

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

4. The case of the petitioner is that the petitioner married one Venu gopal. The petitioner's father-in-law has some properties at Valaiya Setti Kulam, Gingee Taluk, Tiruvannamalai District. He executed a registered will dated 19.03.1991. After the death of father-in-law petitioner's husband and her brother in law are in possession of the property. The petitioner's husband died on 26.09.2015. When the petitioner asked her brother-in-law to effect actual partition of the property he quarreled with her in abusive language and threatened her. In the meanwhile, the petitioner's brother in law had illegally changed the Patta in his name and executed settlement deed on 12.02.2019 in favour of his son. The petitioner made a representation to the respondents 1 to 3 for cancellation of Patta on 30.09.2019. But till date, no orders have been passed. Hence, this Writ petition is filed with the above said prayer.

5. The learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents 1 to 3 to consider the petitioner's representation dated 30.09.2019 in accordance with law and pass appropriate orders within a particular time frame that may be fixed by this Court.

6. The learned Government Advocate appearing on behalf of the respondents submitted that the petitioner's representation dated 30.09.2019 will be considered by the respondents 1 to 3 within the time frame that may be fixed by this Court.

7. Considering the facts and circumstances, the respondents 1 to 3 are directed to consider the petitioner's representation dated 30.09.2019 and pass orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner and private respondent herein, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar



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3. The Tahsildar,
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Villupuram District.

+1cc to Ms.S.Suseela Devi, Advocate, S.R.No.10201

W.P. No.2847 of 2022

SSV(CO)
CT 10/03/2022