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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.3888 of 2022

and

W.M.P. No.4017 of 2022

1. K. Jagadeeswari
2. K.Girija
3. K. Venkatesan
4. K.Srinivasan

.. Petitioners

Versus

1. The District Collector,
Ranipet District,
Ranipet.
2. The District Revenue Officer,
Ranipet District,
Ranipet.
3. The Revenue Divisional Officer,
Ranipet Division,
Ranipet District.
4. The Tahsildar,
Kalavai Taluk,
Kalavai,
Ranipet District.
5. Logan
6. Sridharan
7. S. Magesh

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents to consider the petitioner's representation dated 31.12.2021 and delete the names of 5th, 6th and 7th respondents in patta No.1536 & No.191 and survey the land in survey Nos.619/1, 619/2, 232/2B and 232/2D and fix the boundaries as per the patta issued to the deceased P.Krishnan in Patta No.191, subsequently



transfer the patta to the petitioners name.

For Petitioners : Mr.R. Govindasamy

For Respondents : Mr.T. Chezhiyan

Addl. Government Pleader 1 to 4

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ORDER

The relief sought for in this writ petition is for a direction to the respondents to consider the petitioner's representation dated 31.12.2021, delete the names of 5th, 6th and 7th respondents in patta No.1536 & No.191, survey the land in survey Nos.619/1, 619/2, 232/2B and 232/2D, fix the boundaries as per the patta issued to the deceased P.Krishnan in Patta No.191 and consequently transfer the patta to the petitioners' name.

2. Mr. T. Chezhiyan, learned Additional Government Pleader takes notice for the respondents 1 to 4.

3. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

4. It is the case of the petitioners that the disputed property was successfully inherited by the deceased, P.Krishnan, who is the father of the 2nd to 4th petitioners and husband of the 1st petitioner, by way of patta No.191 issued by the Tahsildar, Kalavai Taluk. The land in question is classified as DC land in the revenue records and it was in absolute possession and enjoyment of the deceased Krishnan, till his life time. While so, after his demise, the private respondents herein, who are no way connected with the said land, have obtained patta in their names. Therefore, the petitioners submitted a representation dated 31.12.2021 to the official respondents for cancellation of the entries made in the revenue records, but the said representation did not evoke any response till date, which has prompted them to file this writ petition.

5. Learned counsel for the petitioners submitted that the disputed property was inherited by the father of the petitioners 2 to 4 and husband of the first petitioner. While so, the names of the private respondents were wrongly included in the revenue records in respect of the land in question. The official respondents, without conducting any enquiry has included the name of the private respondents in the revenue records. He also submits that the first respondent has also issued a direction to fourth respondent to conduct enquiry and pass orders vide



communication dated 20.01.2022, but the same has not been done by the fourth respondent till date. Hence, it would suffice if this Court issues direction to the fourth respondent to consider the petitioners' representation dated 31.12.2021, conduct an enquiry and thereafter, pass orders on the same within a time to be fixed by this Court.

6. The learned Government Advocate has no objection for such an order being passed and he fairly conceded that the said representation of the petitioners will be considered and disposed of in accordance with the law within the time stipulated by this Court.

7. In view of the aforesaid submission, considering the limited relief sought for by the petitioners, this Court without expressing any opinion on the merits of the case directs the fourth respondent to consider the petitioners' representation dated 31.12.2021, conduct an enquiry by affording opportunity of hearing to the petitioner as well as the private respondents and thereafter, pass an order on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

vsi2

To

1. The District Collector,
Ranipet District,
Ranipet.

2. The District Revenue Officer,
Ranipet District,
Ranipet.

3. The Revenue Divisional Officer,
Ranipet Division,
Ranipet District.



4. The Tahsildar,
Kalavai Taluk,
Kalavai,
Ranipet District.

+1cc to Mr.R.Govindasamy, Advocate SR.No.13619
+1cc to the Government Pleader, SR.No.14586

W.P. No.3888 of 2022

GPL(CO)
CB(28/03/2022)