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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5678 of 2022

G.Saravanan

...Petitioner

Vs.

1. The District Collector,
Dharmapuri,
Dharmapuri District.
2. The Revenue Divisional Officer,
Paapireddipatti Taluk,
Dharmapuri,
Dharmapuri District.
3. The Tahsildar,
Rekadahalli Village & Post,
Paapireddipatti Taluk,
Dharmapuri District.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second and third respondents to consider the application of the petitioner dated 31.12.2021 to include the name of petitioner in the Revenue records in respect of land measuring 1.92.5 Hec in S.F.No.26/2B, Rekadahalli village & Post, Paapireddipatti Taluk, Dharmapuri District.

For petitioner : M/s.M.E.Raniselvam

For Respondents : Mr.R.Vigneswaran
Government Advocate

ORDER

The petitioner has filed this petition seeking direction to the second and third respondents to consider the application of the petitioner dated 31.12.2021 to include the name of petitioner in the Revenue records in respect of land measuring



1.92.5 Hec in S.F.No.26/2B, Rekadahalli village & Post, Paapireddipatti Taluk, Dharmapuri District.

2.Mr.R.Vigneswaran, 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.The case of the petitioner is that originally, the property comprised in S.F.No.26/2B, measuring an extent of 1.92.5 Hectares was owned by the petitioner's grandmother. On 19.08.1974, the said properties have been bequeathed by his grandmother in favour of the petitioner and his brother G.Elango, after the demise of the petitioner's grandmother, the revenue records were duly mutated in the joint names of the petitioner and his brother /G.Elango bearing Patta No.268. Thereafter, the third respondent by order dated 18.09.2017, had issued a fresh Patta in favour of the said G.Elango, by deleting the name of the petitioner. Based on the name change in the Patta, the said G.Elango had alienated the property in favour of Vijayalakshmi by registered Sale Deed dated 26.10.2017, vide Doc.No.1268/2017. Immediately, thereafter petitioner made an application on 31.12.2021 before the second and third respondents to restore the Patta in the name of the petitioner as well as his brother. 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.

4.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 application dated 31.12.2021 within the time frame that may be fixed by this Court.

5.The learned Government Advocate appearing for the respondents submits that the petitioner's application dated 31.12.2021 will be considered by the respondents, within the time frame that may be fixed by this Court.

6.In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the second respondent and third respondents to consider the petitioner's application dated 31.12.2021, 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 petitioner's brother.



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

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

tri/nhs

To

1. The District Collector,
Dharmapuri,
Dharmapuri District.
2. The Revenue Divisional Officer,
Paapireddipatti Taluk,
Dharmapuri,
Dharmapuri District.
3. The Tahsildar,
Rekadahalli Village & Post,
Paapireddipatti Taluk,
Dharmapuri District.

+1cc to Mr.M.E.Raniselvam, Advocate, S.R.No.16903

+1cc to the Government Pleader, S.R.No.17816

W.P.No.5678 of 2022

MT(CO)
RGA(06/04/2022)