



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.7576 OF 2022

Marrappan

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary Revenue
Department,
Fort St.George,
Chennai-600 009.
2. Revenue Department,
Represented by its Secretary,
Namakkal.
3. The Tahsildhar,
Mohanur,
Namakkal District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to dispose the representation dated 09.10.2021 made by the petitioner, within a time frame.

For Petitioner : Mr.R.Udhaya Kumar

For Respondents : Mr.A.Anandan
Government Advocate

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondent to dispose the representation dated 09.10.2021 made by the petitioner, within a time frame.



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 of the learned counsel appearing on either side, this petition is taken up for final disposal.

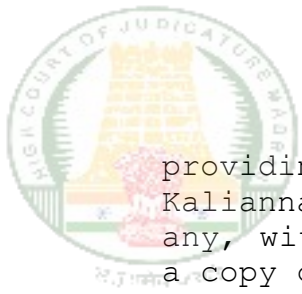
3. The case of the petitioner is that originally, the disputed property owned by one Kaliannan. After the death of said Kaliannan, the petitioner's mother namely, veerayammal has purchased the property from the legal heirs of the said Kaliannan, in the year 1962. Over the period of years, the few more properties were purchased and owned by the petitioner's mother. Thereafter, the petitioner and his family members were in possession and enjoyment of the said disputed properties. The petitioner's mother was died in the year 2005. Thereafter, the petitioner and his family members were decided to execute partition for the properties which stood in the name of said Veerayammal. Then the petitioner came to know that the Patta of several lands has been incongruously and illegally transferred in their brothers name and legal heirs of his brothers. Hence, the petitioner made application before the 3rd respondent, on 09.10.2021, for cancellation of such illegal entries made in the Revenue Records. However, till date no orders have been passed. Hence, this Writ Petition is filed with the aforesaid prayer.

4. The learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues direction to the 3rd respondent to consider petitioner's representation, dated 09.10.2021 and pass appropriate orders within a reasonable time that may be fixed by this Court.

5. The Government Advocate appearing on behalf of the official respondents submitted that the petitioner's application dated 09.10.2021 will be considered by the respondents within a reasonable time that may be fixed by this Court.

6. Considering the facts and circumstances, it is averred that, the petitioner's mother purchased property from one Kaliannan in the year 1962. It is further alleged that the said property was illegally transferred in favour of petitioner's brothers and legal heirs of petitioner's brothers and the said entries were made in the Revenue Records in the Registration Department. Aggrieved with the same, the petitioner made representation to the 3rd respondent, on 09.10.2021, for cancellation of illegal Patta.

7. In view of the above, this Court directs the 3rd respondent to consider the petitioner's representation, dated 09.10.2021 and pass orders in accordance with law, after



providing an opportunity of hearing to the legal heirs of said Kaliannan, to the petitioner and to the aggrieved parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

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8. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The Secretary Revenue Department,
The State of Tamil Nadu,
Fort St.George,
Chennai-600 009.
2. The Secretary,
Revenue Department,
Namakkal.
3. The Tahsildhar,
Mohanur,
Namakkal District.

+1cc to the Special Government Pleader, S.R.No.22687

W.P.No.7576 of 2022

SKM(CO)

RLP(12/04/2022)