



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.6869, 6870 of 2022

Santhi ...Petitioner in W.P.No.6869 of 2022

Chinnathai ...Petitioner in W.P.No.6870 of 2022

Vs.

1. The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.

2. The Revenue Divisional Officer,
Tiruvannamalai.

3. The Tahsildar,
Tiruvannamalai Taluk,
Tiruvannamalai.

...Respondents 1 to 3 in Both W.Ps

4. Jayakumar

5. Murugammal

6. Sivakumar

7. Sivasangari

8. Shenbagam

...Respondents 4 to 8 in W.P.No.6869 of 2022

4. Murugan

5. Kannayan

...Respondents 4 and 5 in W.P.No.6870 of 2022

Prayer in W.P.No.6869 of 2022: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent herein to consider and pass orders on the appeal dated 29.12.2021 filed by the petitioner challenging the Patta bearing No.535 issued by the 3rd respondent herein in the names of the respondents 4 to 8 in respect of the lands measuring 1.08.00 hectares in



S.F.No.51/5 situate at Adi Annamalai Village, Tiruvannamalai Taluk & District in accordance with law and within a stipulated period.

Prayer in W.P.No.6870 of 2022: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent herein to consider and pass orders on the appeal dated 30.12.2021 filed by the petitioner challenging the Patta bearing No.413 issued by the 3rd respondent herein in the names of the 4th and 5th respondents in respect of the lands measuring 1.10.67 hectares in S.F.No.49/1A1A situate at Adi Annamalai Village, Tiruvannamalai Taluk & District in accordance with law and within a stipulated period.

Appearance in Both W.Ps

For Petitioners : Mr.K.Govi Ganesan

For Respondents : Mr.R.P.Murugan Raja
Government Advocate

COMMON ORDER

Since the issue involved and the relief sought for in these two Writ Petitions are identical in nature, the same are heard together and disposed of by this common order.

2. The case of the petitioners is that the petitioners are the owners of the properties in S.F.Nos.51/5 and 49/1A1A, situated at Adi Annamalai Village, Tiruvannamalai Taluk & District. The grievance of the petitioners is that without adding all the legal heirs of Late Munusamy, the 3rd respondent had transferred the Patta in favour of the respondents 4 to 8 in W.P.No.6869 of 2022, and without adding all the legal heirs of Late Mottayan, the 3rd respondent had transferred the Patta in favour of the 4th and 5th respondents in W.P.No.6870 of 2022 respectively. Thereafter, the petitioners have approached the Tahsildar and after enquiry, the Tahsildar had included all the names of the legal heirs and issued joint Patta in the name of the petitioners in respective Survey Numbers. However, without any notice, immediately, the Tahsildar had cancelled the Joint Patta and issued separate Patta in the name of the private respondents. Therefore, the petitioners have filed a statutory appeal dated 29.12.2021 and 30.12.2021 before the 2nd respondent/Revenue Divisional Officer, seeking to restore the joint Patta in the name of the petitioners in the respective Writ Petitions. However, till date, no order has been passed. Hence, the present Writ petitions are filed.

3. The learned counsel for the petitioners submitted that it would suffice, if this Court issues a direction to the



second respondent to consider and pass orders on the appeal dated 29.12.2021 and 30.12.2021, within a stipulated time that may be fixed by this Court.

4. The learned Government Advocate appearing for the respondents has no objection for the said order being passed.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider and pass orders on the appeal dated 29.12.2021 and 30.12.2021 on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioners as well as the private respondents.

6. With the above directions, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

jd/skt

To

1. The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.
2. The Revenue Divisional Officer,
Tiruvannamalai.
3. The Tahsildar,
Tiruvannamalai Taluk,
Tiruvannamalai.

+2ccs to Mr.K.Govi Ganesan, Advocate SR. Nos.20472, 20473
+1cc to Government Pleader SR. No. 20605

W.P.Nos.6869, 6870 of 2022

GPL (CO)
PR (28/04/2022)