



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9545 of 2022

O.Suganthi

... Petitioner

Vs.

- 1.The District Collector,
Sathuvachari,
Vellore District.
- 2.The District Revenue Officer,
Collectorate,
Sathuvachari, Vellore District.
- 3.The Revenue Divisional Officer,
Taluk Office,
Gudiyattam, Vellore District.
- 4.The Tahsildar,
Gudiyattam,
Vellore District.
- 5.Govindammal

... Respondents

PRAYER: This Writ Petition filed under Section 226 of Constitution of India, pleased to issue a Writ of Mandamus directing the respondent to Cancel the Patta dated 13.08.2020 issued by the 4th respondent vide Patta No. 1684.

For Petitioner : Mr.P.Govindarajan

For RR1 to 4 : Mr.R.P.Murugan Raja,
Government Advocate



ORDER

This petition has been filed for issuance of writ of Mandamus to direct the respondent to Cancel the Patta dated 13.08.2020 issued by the 4th respondent vide Patta No. 1684.

2. The case of the petitioner is that the property comprised in S.F.No.11/2 measuring an extent of 3 acre 5 cents was owned by one Maraveerana and after his demise, his two sons, Mahadevan (great grandfather of the petitioner) and Chiyyan, had acquired the property and the said Mahadevan had two daughter namely Govindammala and Valiammal. However after the demise of the said Mahadevan, the said Govindammal / 5th respondent herein without effecting partition had acquired the entire property by fabricating the documents and the 4th respondent also issued patta in favour of Govindammal. Thereafter on several representations of the petitioner, the 4th respondent issued joint patta by including his grandmother name, but subsequently again the joint patta was cancelled and separate patta was issued to the 5th respondent and the same was also objected by the petitioner's grandmother Valliammal through representation dated 18.08.2020, however the respondents did not take any action on the objection sent by Valliammal. Since, the said Valliammal had died, aggrieved by the issuance of separate patta in favour of the 5th respondent, the petitioner is before this Court.

3. The learned counsel appearing for the petitioner submitted that it would suffice if this Court issues direction to the respondents to consider the representation of his grandmother, viz., Valiammal dated 18.08.2020, within a stipulated time frame as fixed by this Court.

4. The learned Government Advocate appearing for the official respondents has no objections for the said order being passed and he submitted that appropriate order will be passed on the said representation within a stipulated time frame.

5. This Court has carefully considered the rival submissions and also perused the materials placed before it.

6. In view of the limited prayer sought for by the petitioner, this Court without expressing any opinion on the merits of the case directs the 4th respondent to consider the representation of the said Valiammal dated 18.08.2020 on merits and in accordance with law, after affording an opportunity of



personal hearing to the 5th respondent and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

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SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

- 1.The District Collector,
Sathuvachari,
Vellore District.
- 2.The District Revenue Officer,
Collectorate,
Sathuvachari, Vellore District.
- 3.The Revenue Divisional Officer,
Taluk Office,
Gudiyattam, Vellore District.
- 4.The Tahsildar,
Gudiyattam,
Vellore District.

+1cc to Mr.P.Govindarajan, Advocate Sr.27204
+1cc to the Government Pleader Sr.27692

W.P.No.9545 of 2022

ss[co]
srg 05/05/2022