



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.10449 of 2022

Valliyammal

...Petitioner

Vs.

1. The District Collector,
The Office of District Collectorate,
Sathuvachari,
Vellore District.
2. The Sub Collector, (Gudiyattam),
The Office of District Collector,
Sathuvachari,
Vellore District.
3. The Revenue Thasildar,
The Office of Revenue Tahsildar,
Gudiyattam Taluk,
Vellore District.
4. The Revenue Divisional Officer,
Revenue Divisional Office,
Old Taluk Office,
R.S.Road, Gudiyattam Taluk,
Vellore District.
5. The Zonal Deputy Thasildar,
Gudiyattam Taluk,
Vellore District.
6. The Village Administrative Officer,
The Office of VAO,
Sethuvandai Village,
Gudiyattam Taluk,
Vellore District.

...Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to conduct fresh enquiry on the petitioner representation dated 15.03.2022 and issue patta in favour of the petitioner and to her daughters for the property situated in S.No.145/2 to the extent of 0.27.50 hectare at Sathuvandai, Gudiyattam Circle, Vellore District.



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For Petitioner : Mr.Karan

For Respondents : Mr.V.Veluchamy
Additional Government Pleader

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the third respondent to conduct fresh enquiry on the petitioner representation dated 15.03.2022 and issue patta in favour of the petitioner and to her daughters for the property situated in S.No.145/2 to the extent of 0.27.50 hectare, at Sathuvandai, Gudiyattam Circle, Vellore District.

2. Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition, on the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The learned counsel for the petitioner would submit that the petitioner made an application for issuance of patta, on 07.12.2021 before the fifth respondent. Thereafter, the fifth respondent rejected the application on 10.12.2021, on the ground that there is a suit pending in between the parties. Thereafter, the petitioner made a representation, dated 15.03.2022 for conducting fresh enquiry. However, till date, no order has been passed on the same. Hence, this present petition is filed.

4. The learned Additional Government Pleader submits that the application of the petitioner having been rejected already, without challenging the same, the petitioner cannot submit a representation and seek consideration of the same.

5. In response to the said submission, learned counsel for the petitioner submits that this Court may grant liberty to the petitioner to file a fresh petition, challenging the rejection application, dated 10.12.2021 passed by the fifth respondent.



6. In view of the above, without challenging the rejection order passed by the fifth respondent, dated 10.12.2021, filing of writ petition is not sustainable. Therefore, the prayer sought for in this writ petition cannot be granted. Accordingly, this Writ petition stands dismissed. However, the petitioner is at liberty to challenge the order of rejection in the manner known to law. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
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Sathuvachari, Vellore District.
2. The Sub Collector, (Gudiyattam),
The Office of District Collector,
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3. The Revenue Thasildar,
The Office of Revenue Tahsildar,
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SKM (CO)
PR (17/05/2022)