



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.10294 OF 2022

Iberahim Basha

...Petitioner

Vs.

1.The Revenue Divisional Officer,
Peramballur District.

2.The Tahsildar,
Kunnam Taluk,
Peramballur District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 20.01.2022 consequently direct the respondents to include his name in the revenue records, issue joint patta with respect to the property bearing S.No.229/24, Pennakonam Village Konnam Taluk, Peramballur District.

For Petitioner : Mr.S.N.Subramani

For Respondents : Mr.V.Veluchamy
Additional Government Pleader

ORDER

This writ petition has been filed seeking for issuance of a writ of Mandamus to direct the respondents to consider the petitioner's representation dated 20.01.2022 and consequently direct the respondents to include his name in the revenue records and issue joint patta with respect to the property bearing S.No.229/24, Pennakonam Village, Konnam Taluk, Peramballur District.

2. The case of the petitioner is that petitioner's father one Sulthan Moideen, is the original owner of the above said property. After his demise, petitioner and legal heirs of said Sulthan Moideen were in possession and enjoyment of the same. When the petitioner came to know that the respondents have



mutated the name of petitioner's brother in the Revenue Records, he made a representation before the respondents on 20.01.2022 seeking to implead the petitioner's name along with his brother's name in the Revenue Records and issue joint patta in favour of them. Since the respondents have not acceded to the petitioner's representation, he filed the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 20.01.2022 and pass orders on merits within a particular time frame to be fixed by this Court.

4. The learned Additional Government Pleader appearing for respondents has no objection for said order being passed.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the respondents to consider the said representation of the petitioner dated 20.01.2022 and pass appropriate orders, on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the respondents to decide the same at the time of disposing of the said representation purely on merits.

7. With the above observations and direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

rap

To

1.The Revenue Divisional Officer,
Peramballur District.



2.The Tahsildar,
Kunnam Taluk,
Peramballur District.

+1cc to Mr.S.N.Subramani, Advocate Sr.No.29440

+1cc to the Government Pleader Sr.No.30438

W.P.No.10294 of 2022

GSM(CO)
RVM(30/05/2022)