



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.11154 of 2022

V. Siddhan

... Petitioner

Vs.

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The District Revenue Officer,
Dharmapuri District,
Dharmapuri.
3. The Revenue Divisional Officer,
Dharmapuri District,
Dharmapuri.
4. The Tahsildar,
Nallamkpalli Taluk,
Dharmapuri District.
5. The Village Administrative Officer,
Maniyathalli,
Nallamkpalli Taluk,
Dharmapuri District.

6. Vetrayan

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other writ or any other order or direction in the form of writ directing the Respondents to dispose petitioner's representation dated 17.03.2022 and to delete my brother Vetrayan name in my Patta No.1031 and 1407 of my property for the lands situated at Survey Nos.695/4,695/3,697/4B,599/B1A,599/B1C AND 599/B1E to extent of 1.25 acre at Baghalahalli Village, Nallampalli Taluk Dharmapuri District and issue separate Patta in favour of me.

For Petitioner : M/s.P.Settu

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



ORDER

The present petition has been filed seeking a direction to the Respondents to dispose of the petitioner's representation dated 17.03.2022 made for deleting the name of the petitioner's brother from the Patta with respect to the properties of the petitioner and for grant of separate Patta in favour of the petitioner.

2. It is the case of the petitioner that after the demise of his father VEDIYAPPAN, the subject properties devolved upon the petitioner and his brothers by way of oral partition. Since then, the petitioner and his brothers are in possession and enjoyment of the said properties. While applying for computer chitta for the purpose of availing agricultural loan, the petitioner came to know that his brother/6th Respondent's name is also included in the petitioner's Patta bearing Patta No.1031 & 1407. As all other revenue records stand in the petitioner's name, he made a representation dated 17.03.2022 before the Respondents, requesting to delete his brother's name VETRAYAN from the Patta and to issue separate patta in favour of the petitioner. However, till date, the same has not been considered. Hence, the petitioner has come up with the present petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the 4th Respondent/Tahsildar to consider and dispose of the representation dated 17.03.2022 made for deletion of the 6th Respondent's name from Patta No. 1031 & 1407 and for issuance of separate patta in favour of the petitioner with respect to the subject properties, within the time that may be stipulated by this Court.

4. On the above contention, heard the learned Government Advocate appearing for the respondents.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the 4th Respondent/Tahsildar to consider the representation dated 17.03.2022 made by the petitioner and pass appropriate orders on the same, in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as the 6th respondent, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The District Revenue Officer,
Dharmapuri District,
Dharmapuri.
3. The Revenue Divisional Officer,
Dharmapuri District,
Dharmapuri.
4. The Tahsildar,
Nallamkpalli Taluk,
Dharmapuri District.
5. The Village Administrative Officer,
Maniyathalli,
Nallamkpalli Taluk,
Dharmapuri District.

+1cc to Mr.M.Mariappan, Advocate, S.R.No.33995

+1cc to the Government Pleader, S.R.No.34179

W.P.No.11154 of 2022

SKM(CO)
UMA (22/06/2022)