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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.11264 of 2022

1. M.K.Sunny
2. K.Mohan
3. R.Premkumar Reddy
4. R.Rajkumar Reddy ...Petitioners

vs.

1. The District Collector,
Collector Office,
Thiruvallur District,
Tamil Nadu - 602 003.
2. The Thasildhar,
Poonamallee Taluk,
Poonamallee,
Thiruvallur District. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent to issue patta to the petitioners property by considering our representation dated 12.04.2022, and to pass orders, in accordance with law within a time frame as may be fixed by this Court.

For Petitioners : Mr.P.Raja

For Respondents: Mr.M.Murali
Government Advocate

ORDER

This writ petition has been filed seeking for issuance of a Writ of Mandamus to direct the second respondent to issue patta to the petitioners property, by considering their representation dated 12.04.2022, and pass orders on merits within a time frame as may be fixed by this Court.

2. The case of the petitioners is that one S.P.Balakrishnan, and C.P.Mary, being the mother of petitioners 1 and 2 purchased



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the property in S.No.254/A1, of an extent of 22 Grounds 1844 sq.ft., which is included in the larger extent of two acres situated at Kattupakkam Village, Sriperumbudur Taluk, Chengalpet District, from one Manali Ramakrishna Mudhaliar. While that being so, said S.P.Balakrishnan executed a registered Will in favour of petitioners 3 and 4 bequeathing his half share out of 22 Grounds and 1844 sq.ft. and the said C.P.Mary executed a Will in favour of petitioners 1 and 2 bequeathing her half share out of 22 Grounds and 1844 sq.ft. After the demise of said S.P.Balakrishnan and C.P.Mary, the petitioners have become joint owners of the said properties of an extent of 22 Grounds and 1844 sq. ft. Further, the petitioners made a representation before the second respondent on 12.04.2022 for issuance of patta in respect of said land. Since the same was not considered by the second respondent, petitioners have 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 petitioners submitted that, it would suffice, if this Court issues direction to the second respondent to consider the petitioners representation dated 12.04.2022 and pass orders on merits within a particular time frame that may be fixed by this Court.

4.The learned Government Advocate 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 second respondent to consider the said representation of the petitioners, dated 12.04.2022 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioners as well as aggrieved persons if any, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Collector Office,
Thiruvallur District,
Tamil Nadu - 602 003.

2. The Thasildhar,
Poonamallee Taluk,
Poonamallee,
Thiruvallur District.

+1cc to M/s.P.Raja, Advocate, S.R.No.29852

+1cc to the Government Pleader, S.R.No.31027

W.P.No.11264 of 2022

RK(CO)
RGA(02/06/2022)