



W.P.No.15719 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.15719 of 2022

1. M.Umashankar
2. Meena
3. Saranaya

...Petitioners

vs.

1. The Sub Collector,
Sub Collector Office,
Dharmapuri District.

2. The Tahsildar,
Taluk Office,
Palakodu Taluk,
Dharmapuri District.

3. The Village Administrative Officer,
Thanduharanahalli Village,
Palakodu Taluk,
Dharmapuri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to consider the representation dated 08.03.2022 to include the name of the petitioners as well as the legal heirs of Uma in the Joint Patta Nos.1595 and 1810 for the lands comprised in Survey Nos.54/1B1B, 54/1B3, 65/1B1A and half share



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in 222/1 respectively situated at Thandukaranahalli Post and Village, Palakodu Taluk, Dharmapuri District.

For Petitioners : Mr.R.Bharath Kumar

For respondents : Mr.G.Krishna Raja
Additional Government Pleader

ORDER

This writ petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents herein to consider the petitioners representation dated 08.03.2022 to include the name of the petitioners as well as the legal heirs of Uma in the Joint Patta Nos.1595 and 1810 in respect of the land comprised in Survey Nos.54/1B1B, 54/1B3, 65/1B1A and half share in 222/1 respectively situated at Thandukaranahalli Post and Village, Palakodu Taluk, Dharmapuri District.

3. The case of the petitioners is that originally the petitioners' great grandfather one Rudrappachetty was the owner of the properties in S.Nos.54/1B3, 65/1B1A, 54/1B1B, 54/1B1A, 54/1B1C, 65/1B1B, 54/1b2, 222/1 (half share) in S.No.283/3(half share) situated in above said Village.



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After his demise, the said property stood in the name of petitioners grandfather namely Marisamy Chetty. After the demise of said Marisamy Chetty, his legal heirs, namely Madhevan i.e., petitioners' father and Sivarudhran their uncle were in possession and enjoyment of the said property. Thereafter, Joint Patta in Patta Nos.1595 and 1810 were issued in favour of said Sivarudhran in respect of S.Nos.222/1, 54/1B3, 65/1B1A and 54/1B1B whereas Joint Patta in Patta Nos.1042 and 621 in respect of S.Nos.54/1B2, 54/1B1A, 54/1B1C, 65/1B1B and 283/3 were issued to the legal heirs of Madhevan. Thereafter, the petitioners came to know that their names and legal heirs of their deceased sister one Uma were not included in the Joint Patta Nos.1595 and 1810. While so, petitioners made a representation dated 08.03.2022 to the respondents to include their names and the legal heirs of Uma in Joint Patta Nos.1595 and 1810 in respect of the lands in S.Nos.54/1B1B, 54/1B3, 65/1B1A and 222/1 (half share). Since the same has not been considered by the respondents favourably, the petitioners have come up with the present Writ Petition seeking the aforesaid relief.



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4. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioners submits that it would suffice if this Court issues direction to the respondents to consider the petitioners' representation dated 08.03.2022 and pass orders on merits within a particular time frame to be fixed by this Court.

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

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

7. 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 representation of the petitioners dated 08.03.2022 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



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order.

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

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RAP

Index : Yes/No
Speaking order : Yes/No

To

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M.DHANDAPANI, J.

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