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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2022

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.8570 of 2014
and
MP No.1 of 2014

P. Samboornam

.... Petitioner

Versus

1. The District Collector,
O/o. The District Collector,
Villupuram,
Villupuram District.
2. The District Revenue Officer,
O/o. The District Revenue Office,
Thirukkivilur Taluk,
Villupuram District.
3. The Tahsildar,
O/o. Tahsildar Office,
Ulundurpet Taluk,
Villupuram District.
4. The Village Administrative Officer,
O/o. The Village Administrative Office,
T-Kolathur Village,
Ulundurpet Taluk,
Villupuram District.
5. Veerammal
6. Rani
7. Ananthayee
8. Pitchaikkarar
9. Kalyani
9. Ayyanar
10. Murugesan
12. Ayyakkannu
13. Meenakshi

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents 1 to 3 herein to consider the petitioner's representation dated 21.01.2014 herein to cancel the patta in respect of the land is



classified as Punjai Tharisu and transfer the patta to the petitioner herein in respect of the land in Survey No.251, Patta No.701, measuring an extent of 2.96 cents, situate at T. Kolathur Village, Ulundurpet Taluk, Villupuram District.

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For Petitioner : Mr.C.S. Vijayakumar
For Respondents : Mr.Yogesh Kannadasan
Spl. Govt. Pleader for R1 to R4

ORDER

This writ petition has been filed for a direction to the respondents 1 to 3 to consider the petitioner's representation dated 21.01.2014 to cancel the patta in respect of the land is classified as Punjai Tharisu and transfer the patta to the petitioner herein in respect of the land in Survey No.251, Patta No.701, measuring an extent of 2.96 cents, situated at T. Kolathur Village, Ulundurpet Taluk, Villupuram District.

2. The case of the petitioner is that her husband is an Ex-serviceman was granted assignment patta land which is classified as Punjai Tharisu in the year 1968 in Survey No.251, measuring to an extent of 2.96 cents, and patta was granted in patta No.701 and land tax for the said land was also paid by her husband regularly. While so, after her husband's death, she has been regularly paying the said land tax. Thereafter, without any notice, the official respondents granted patta in favour of the private respondents, which has been assigned in favour of her husband. Hence, she submitted representation dated 21.01.2014 to the respondents 1 to 4 to cancel the said patta issued in the name of private respondents and to include her name. Till date, no steps have been taken by the official respondents to consider the petitioner's representation dated 21.01.2014. Hence, this writ petition has been seeking for an appropriate direction to the respondents 1 to 4.

3. Learned counsel for the petitioner submitted that the disputed land was assigned to the petitioner's husband honouring his services as Ex-servicemen. The action on the part of the respondents, without any notice and transferring the patta for the said land to private respondents is unsustainable. However, he prays it would suffice, if this Court directs the respondents to consider the representation of the petitioner and cancel the patta issued in favour of private respondents and to include the petitioner's name in accordance with law.

4. Learned Special Government Pleader appearing for the



respondents has no objection to such a direction being issued.

5. Heard Mr.C.S. Vijayakumar, learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for the respondents 1 to 4. Though notice was ordered to private respondents, however the petitioner has not taken steps to serve them. Since no adverse orders are being passed against respondents 5 to 13, notice on the said respondents is dispensed with.

6. In the light of the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the petitioner to submit a copy of the representation dated 21.01.2014 along with a copy of this order, to the 3rd respondent, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the 3rd respondent is directed to consider the same and pass orders on merits and in accordance with law, within a period of twelve weeks thereafter after affording an opportunity of hearing to all the parties including the private respondent concerned.

7. With the aforesaid direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

vsi2

To

1. The District Collector,
O/o. The District Collector,
Villupuram,
Villupuram District.
2. The District Revenue Officer,
O/o. The District Revenue Office,
Thirukkivilur Taluk,
Villupuram District.



3. The Tahsildar,
O/o. Tahsildar Office,
Ulundurpet Taluk,
Villupuram District.

4. The Village Administrative Officer,
O/o. The Village Administrative Office,
T-Kolathur Village,
Ulundurpet Taluk,
Villupuram District.

+1cc to M/s.C.S.Vijayakumar, Advocate, S.R.No.17116

+1cc to the Special Government Pleader, S.R.No.17760

W.P. No.8570 of 2014

SKM(CO)
SU(04/04/2022)