



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.27481 of 2021

Chinnakannau Ammal

...Petitioner

Vs

1. The District Collector,
Kallakurichi District,
Kallakurichi.
2. The Revenue Divisional Officer,
Thirukovilur.
3. The Tahsildar,
Ulundurpet Taluk,
Kallakurichi Taluk.
4. The Village Administrative Officer,
Ulundurpet Taluk,
Kallakurichi District.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents herein, particularly, the 3rd Respondent herein, to restore the Patta No.252 in the name of the Petitioner herein forthwith.

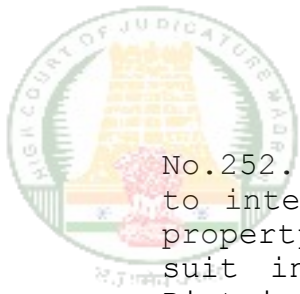
For Petitioner : Ms.R.Narmadha

For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

This writ petition is filed to issue a Writ of Mandamus to direct the respondents herein, particularly, the 3rd Respondent herein, to restore Patta No.252 in the name of the Petitioner herein forthwith.

2. The petitioner purchased the property to an extent of 2 acre and 10 cents by the registered sale deed dated 29.04.1991, vide Document No.52 of 1991. She was issued patta in Patta



No.252. While that being so, the adjacent land owners attempted to interfere with peaceful possession and enjoyment of the said property and as such, the petitioner was constrained to file a suit in O.S.No.362 of 1997 on the file of the I Additional District Munsif-cum-Judicial Magistrate Court, Ulundurpet for declaration and injunction. While pending the suit, the fourth respondent cancelled the patta which was issued in favour of the petitioner herein. Thereafter, the Civil Court decreed the suit filed by the petitioner by the judgment and decree dated 24.08.2000, thereby declared that the said property belonged to the petitioner. The rival parties filed an Appeal Suit in A.S.No.98 of 2001 on the file of the Principal Sub-Court, Villupuram and the same was allowed by the judgment and decree dated 24.03.2003. Aggrieved by the same, the petitioner preferred a Second Appeal in S.A.No.847 of 2003 before this Court and this Court allowed the said Second Appeal by the judgment and decree dated 11.01.2018. On the strength of the same, the petitioner made representation to restore the patta in her name before the first and second respondents. On receipt of the same, the first and second respondents directed the third respondent to consider the request of the petitioner and take necessary action, by the communication dated 06.08.2021 and 18.08.2021 respectively. However it is still pending on the file of the third respondent.

3. Considering the above facts and circumstances of the case, the third respondent is directed to conduct enquiry on the representation made by the petitioner on the basis of the judgement and decree passed by this Court in S.A.No.847 of 2003 dated 11.01.2018, after issuance of the notice to the petitioner, adjacent land owners and counter parties, if any and after giving an opportunity of hearing to them, pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above direction, this 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,
Kallakurichi District,
Kallakurichi.
2. The Revenue Divisional Officer,
Thirukovilur.
3. The Tahsildar,
Ulundurpet Taluk,
Kallakurichi Taluk.
4. The Village Administrative Officer,
Ulundurpet Taluk,
Kallakurichi District.

+1cc to M/s.T.R.Sathyamohan, Advocate, S.R.No.365
+1cc to the Government Pleader, S.R.No.631

W.P.No.27481 of 2021

KSM[co]
NSK 21/01/2022