



W.P.No.32440 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.32440 of 2022

1.Manjula

2.Sivakumar

... Petitioners

Vs

1.The District Collector,
Krishnagiri District.

2.The District Revenue Officer,
Krishnagiri District.

3.The Revenue Divisional Officer,
Krishnagiri District.

4.The Tahsildar,
Uthangarai, Krishnagiri District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 4th respondent to take appropriate action on the representation of the petitioner dated 21.07.2022 in pursuance to the 1st respondent's letter dated 03.08.2022 in Oo.Mu.22239/2022/J1.



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W.P.No.32440 of 2022

For Petitioner : Mr.T.Panchatsaram

For Respondents : Mrs.Akila Rajendran
Government Advocate

ORDER

The prayer sought for in this writ petition is for a Writ of Mandamus directing the 4th respondent to take appropriate action on the representation of the petitioners dated 21.07.2022 in pursuance to the 1st respondent's letter dated 03.08.2022 in Oo.Mu.22239/2022/J1.

2. In respect of property at S.No.39/4A-4C in patta No.433 which according to the petitioners is the property belongs to the petitioners' family, however patta has been wrongly issued in the name of one B.R.Vadivel and therefore, in order to cancel the same and to issue proper joint patta in respect of the said property including the names of the petitioners, the petitioners had given representation to the respondents 2 to 4.

3. In this regard the 1st respondent/District Collector, having received the representation given by the petitioners, has sent communication on 03.08.2022 to the 4th respondent to look into the matter and to pass necessary orders to that effect on the application of the petitioners.



W.P.No.32440 of 2022

4. Despite these communications, since the application submitted by the petitioners for rectification has not so far been considered by the 4th respondent/Tahsildar, the petitioners have filed the present writ petition.

5. Heard Mr.T.Panchatsaram, learned counsel appearing for the petitioners who having reiterated the aforesaid would seek indulgence of this Court.

6. Heard Mrs.Akila Rajendran, learned Government Advocate appearing for the respondents who on instruction would submit that as per the directive issued by the District Collector dated 03.08.2022, the application of the petitioner would be considered and decided on merits and in accordance with law by the 4th respondent/Tahsildar within a time frame that may be stipulated by this Court.

7. Considering the said submissions made by the learned counsel for both sides and taking into account the limited scope of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following orders:



W.P.No.32440 of 2022

WEB COPY

That there shall be a direction to the 4th respondent/
Tahsildar to pass orders on the petitioners representation dated
21.07.2022 of course in pursuance with the direction given by
the 1st respondent/District Collector dated 03.08.2022 after
giving opportunity of being heard to both the petitioner as well
as the third party in whose name the patta now stands as stated
by the petitioners and pass orders thereon within a period of six
weeks from the date of receipt of a copy of this order.

8. With this direction, this Writ Petition is disposed of. No costs.

05.12.2022

Index : Yes / No

Speaking Order : Yes / No

Sgl



W.P.No.32440 of 2022

To
WEB COPY

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WEB COPY



W.P.No.32440 of 2022

R. SURESH KUMAR, J.

Sgl

W.P.No.32440 of 2022

05.12.2022