



W.P.No.31445 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2022

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P.No.31445 of 2022

Palanisamy

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Uthangarai Taluk,
Krishnagiri District 635 306.

2.The Revenue Inspector,
Sambalpatti 635 306.

3.The Village Administrative Officer,
E.Ettipatti Village, Thangarai Taluk,
Krishnagiri District – 635 306.

4.P.Dhandapani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to modify the entry in respect of Patta No.483 in S.No.31/2B2, Konnampatti Village issued in the name of the 4th respondent and include the names of the petitioner and his family members as per the



W.P.No.31445 of 2022

representation dated 03.12.2021.

For Petitioners : Mr.R.Subramanian

For Respondents : Mr.U.Bharanidharan for RR1 to 3
Additional Government Pleader

ORDER

This Writ Petition have been filed by the petitioners to direct the 1st respondent to modify the entry in respect of Patta No.483 in S.No.31/2B2, Konnampatti Village issued in the name of the 4th respondent and include the names of the petitioner and his family members as per the representation dated 03.12.2021.

2.Since, no adverse orders is being passed as against the 4th respondent, notice to the 4th respondent is dispensed with.

3.The case of the petitioner is that the property measuring an extent of 1.50.0 Hectare of land along with a big well situated in S.No.31/2B in Uthangarai Taluk having Patta No.199 was jointly owned by the petitioner's father along with his brother. After sub division of the above said land, the patta was given for an extent of 0.75.5 Hectare in



W.P.No.31445 of 2022

S.No.31/2B1 in the name of the petitioner's paternal uncle and patta for an extent of 0.72.0 Hectare in S.No.31/2B3 was given in the name of the petitioner's mother's name since, the petitioner's father passed away. After demise of the petitioner's mother, the petitioner and his brothers inherited the above said property. While being so, other legal heirs of the petitioner's paternal uncle, executed a Sale Deed in favour of the 4th respondent registered as Doc.No.3606 of 2021 dated 07.07.2021 before the SRO, Uthangarai, which included 0.06 Cents in S.No.31/2B2 and the entire well. Thereafter, the petitioner issued a legal notice to the 4th respondent and others to rectify the document in respect of the half share in 0.2.50 Hectare in S.No.31/2B2 and the well. The petitioner also gave a representation to the respondents 1 to 3 to include the petitioner's name in the patta which was issued in favour of the 4th respondent, since, both the petitioner's paternal uncle and petitioner's father are entitled to half share in S.No.31/2B2 along with the well and service connection. However, till date, the petitioner's representation was not considered. Hence, the present Writ Petition.



W.P.No.31445 of 2022

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3.Learned counsel for the petitioners submits that it would suffice if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 03.12.2021 and pass orders on the same within a particular time frame fixed by this Court.

4.Mr.U.Bharanidharan, learned Additional Government Pleader appearing for the respondents 1 to 3 submits that if any direction is given by this Court, the same will be complied with.

5.In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 2nd respondent to consider the petitioner's representation dated 03.12.2021, on merits and in accordance with law after providing opportunity of hearing to the petitioner as well as the private respondent and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

6.Accordingly, this Writ Petition is disposed of. No costs.



W.P.No.31445 of 2022

25.11.2022

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Index: Yes/No
Internet: Yes/No
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To

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W.P.No.31445 of 2022

M.DHANDAPANI, J.

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W.P.No.31445 of 2022

25.11.2022