



W.P.No.30231 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.30231 of 2022

Ponnurangam

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Arakkonam,
Ranipet District.

2.The Tahsildar,
Arakkonam,
Ranipet District.

3.Munusamy

4.Kesavan

5.Kuppammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider and pass orders on the petitioner's representation dated 16.07.2022 seeking to mutate the revenue record by removing the name of respondents 3 to 5 in patta No.4356 and patta No.221 and restore land comprised in S.No.456/1 having an extent of 0.13 acres and S.No.461 having an extent of 2.43 acres to

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its original.

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For Petitioner : Mr.G.Jeremiah

For Respondents 1 to 2 : Mr.U.Bharanidharan,
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for issuance of Writ of Mandamus directing the respondents 1 and 2 to consider and pass orders on the petitioner's representation dated 16.07.2022 seeking to mutate the revenue record by removing the name of respondents 3 to 5 in patta No.4356 and patta No.221 and restore land comprised in S.No.456/1 having an extent of 0.13 acres and S.No.461 having an extent of 2.43 acres to its original.

2. At the consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. Since no adverse order is being passed against the respondents 3 to 5, notice to the respondents 3 to 5 is dispensed with.



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4. The case of the petitioner is that the petitioner's father acquired the property under family partition to an extent of 75 cents in S.No.461 and 11 cents in S.No.456/1. On 05.10.1972, the petitioner's father under registered sale deed, purchased an extent of 26 cents in S.No.461 and an extent of 2 cents in S.No.456/1 from his step brother Govindasamy Reddy. Thereafter, the petitioner's father purchased an extent of 1.42 acres in S.No.461 along with 3/4th share in the well on 29.04.1975. However, the petitioner's father died on 16.10.2018. This being the case, the respondents 3 to 5 obtained a forged patta on their favour for the aforesaid properties and all the above mutations were taken place without notice to the petitioner or his family members. Therefore, the petitioner made a representation dated 16.07.2022 before the respondents 1 & 2, seeking to take necessary action to delete the names of respondents 3 to 5 from the patta land. However, till date, no order was passed. Hence, this writ petition.

5. Learned counsel for the petitioner would submit that it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 16.07.2022 within a time frame to be fixed by this Court.



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6. Learned Additional Government Pleader appearing for the respondents 1 & 2 has no objection for the said direction being passed by this Court.

7. Heard the learned counsel on either side and perused the materials placed on record.

8. Taking into the factual aspects, without going into the merits of the case, this Court is inclined to issue direction to the respondents 1 & 2 to consider the petitioner's representation dated 16.07.2022 and pass appropriate orders on merits and in accordance with law, after affording reasonable opportunity of hearing to the petitioner as well as the private respondents, within a period of six weeks from the date of receipt of a copy of this order.

9. With the aforesaid direction, this writ petition is disposed of. No costs.

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Index : Yes/No

Speaking Order : Yes/No

To:

1.The Revenue Divisional Officer,
Arakkonam,
Ranipet District.

2.The Tahsildar,
Arakkonam,
Ranipet District.



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M.DHANDAPANI,J.

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