



W.P.No.30657 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30657 of 2022

Kuppammal

... Petitioner

Vs.

1.The District Collector,
Collector Office,
Krishnagiri District.

2.The District Revenue Officer,
District Revenue Office, Uthangarai,
Krishnagiri District.

3.The Tahsildar,
Tahsildar Office, Uthangarai,
Krishnagiri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to carry out necessary mutation in the village records by entering petitioner name as pattathar of the property, viz, having an extent of 1.39 ½ acres comprised in S.No.48/1A, situated at Mallipatti Village, Uthangarai Taluk, Krishnagiri District, as per Court Decree and order passed in O.S.No.81/2005 dated 11.08.2008 on the file of the Principal Subordinate Judge, Krishnagiri and to issue separate



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patta in the name of the petitioner by considering the representation to the 3rd respondent dated 20.10.2022 within the stipulated time fixed by this Court.

For Petitioners : Mr.P.M.Jayachandran

For Respondents : Mr.U.Bharanidharan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to carry out necessary mutation in the village records by entering petitioner name as pattathar of the property, viz, having an extent of 1.39 ½ acres comprised in S.No.48/1A, situated at Mallipatti Village, Uthangarai Taluk, Krishnagiri District, as per Court Decree and order passed in O.S.No.81/2005 dated 11.08.2008 on the file of the Principal Subordinate Judge, Krishnagiri and to issue separate patta in the name of the petitioner by considering the representation to the 3rd respondent dated 20.10.2022 within the stipulated time fixed by this Court.

2.The case of the petitioner is that the petitioner and her son filed a suit in O.S.No.81 of 2005 on the file of the Principal Subordinate Judge, Krishnagiri, seeking partition of the shares in respect of the S.No.48/1A



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against the defendants therein and an ex parte decree was passed on 10.03.2006. Thereafter, the petitioner and her son filed an application in I.A.No.414 of 2006 in O.S.No.81 of 2005 for passing final decree based on the Commissioner's Report and a final decree was passed on 11.08.2008. Thereafter, the petitioner filed an Execution Petition in E.P.No.26 of 2018 and the same was ordered on 24.02.2022. The said Decree was registered as Doc.No.1426 of 2020 before the SRO, Uthangarai. Thereafter, the petitioner made an application dated 20.10.2022 to issue patta in favour of the petitioner and also to carryout necessary mutation in the Village records. However, till date the same has not been considered and hence, the petitioner has filed this Writ Petition.

3.Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 20.10.2022 and pass orders on the same within a particular time frame fixed by this Court.

4.Mr.U.Bharanidharan, the learned Additional Government Pleader



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for the respondents submits that if any direction is given by this Court, the same will be complied with.

5.This Court vide its order dated 18.11.2022 directed the respondents to consider the petitioner's representation dated 20.10.2022 and pass appropriate orders on the same. However, the same was not complied with. Therefore, this Court without expressing any opinion on the merits of the case directs the 1st respondent to consider the petitioners' representation dated 20.10.2022 on merits and in accordance with law and pass appropriate orders, within a period of two weeks from the date of receipt of a copy of this order.

6.This writ petition is accordingly disposed of. No costs.

30.11.2022

gba
Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No
To

1.The District Collector,
Collector Office,
Krishnagiri District.

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2.The District Revenue Officer,
District Revenue Office, Uthangarai,
Krishnagiri District.

3.The Tahsildar,
Tahsildar Office, Uthangarai,
Krishnagiri District.

M.DHANDAPANI,J.
gba

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