



WEB COPY



W.P.No.864 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.864 of 2023

Tmt.Devi @ Kunjathal

... Petitioner

-Vs-

1. The District Collector,
District Collector Office,
Coimbatore – 18.

2. The Tahsildar,
Office of the Tahsildar,
Kinathukadavu,
Coimbatore District.

3. Smt. Saraswathi

4.Smt. Dhanalakshmi

5. Smt. Velumani

6. Smt. Jayanthi

7. Smt. Sasikala

8. Mr.J.Venkatesan

9. Mr.S.Sukumar

10. Mr.B.Ramamurthy

11. Smt. G.Hemalatha

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to consider the representation sent on the basis of the



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representation dated 15.9.2022 sent by the petitioner and pass appropriate orders within the time fixed by this Court.

For Petitioner : Mr.C.Veera Raghavan
For Respondents : Mr.P.Sathish
Additional Government Pleader
[R1 and R2]

ORDER

The prayer sought for herein is for a writ of mandamus directing the 2nd respondent to consider the representation sent on the basis of the representation dated 15.9.2022 sent by the petitioner and pass appropriate orders within the time fixed by this Court.

2. Insofar as the property at S.Nos.206/2A1, 207/C, 206/2B, 206/2A2, 211/A2B, 211/A2C and 211/B2 at Sankarayapuram Village, Kinathukadavu Taluk, Coimbatore District, it is a claim of the petitioner that the property belongs to the petitioner's father, who had left so many legal heirs including the petitioner as well as the private respondents. When that being so, only few of the legal heirs claimed to have inherited the property and trying to encumber the property or already encumbered the property, based on which, patta was issued leaving the other legal heirs including the petitioner. Therefore, in order rectify the same and for issuance of joint patta in the the name of the original owner i.e., father of



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the petitioner, the petitioner had given a representation to the official respondents on 15.09.2022. In order to consider the same and to pass orders after conducting enquiry with all the legal heirs, the petitioner has moved the present writ petition.

3. Heard Mr.C.Veera Raghavan, learned counsel appearing for the petitioner and Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents 1 and 2.

4. Learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the said application or representation submitted by the petitioner on 15.09.2022 would be considered and decided by the second respondent Tahsildar after hearing the petitioner as well as the private respondents herein by issuing notice to them within a time frame that may be stipulated by this Court.

5. In view of the order going to be passed in this writ petition, notice to the private respondents is hereby dispensed with.

6. Considering the limited scope of the prayer sought for herein



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and having regard to the said submission made by the learned Additional Government Pleader appearing for the respondents 1 and 2, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the second respondent Tahsildar to consider the representation of the petitioner dated 15.09.2022, after enquiry by giving notice to the petitioner as well as the private respondents herein, the final orders should be passed on the plea of the petitioner on merits and in accordance with law within a period of eight(8) weeks from the date of receipt of a copy of this order.

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

12.01.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No

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To



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R. SURESH KUMAR, J.

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