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W.P.No.4250 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.4250 of 2023

Chellathurai

.... Petitioner

-Vs-

1.The District Collector
Perambalur District
Perambalur.

2.The District Revenue Officer
Perambalur District
Perambalur.

3.The Thasildar
Veppanthattai Taluk
Veppanthattai
Perambalur District.

4.Arumugam

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider the representation of the petitioner dated 22.11.2022 on the file of Respondents 1 3 herein in accordance with law by include the petitioner's name in patta No. 1438 situated at Thevaiyur West Village patta No.1469 patta No. 1397 Patta No. 957 and Patta No. 1118 situated at Thevaiyur south village Veppanthattai Taluk, Perambalur District.



W.P.No.4250 of 2023

For Petitioner : Mr.R.Srinivasa Rao
For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader – for RR 1 to 3
Notice dispensed with - R4

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the respondents 1 to 3 to consider the representation of the petitioner dated 22.11.2022 on the file of Respondents 1 3 herein in accordance with law by include the petitioner's name in patta No. 1438 situated at Thevaiyur West Village patta No.1469 patta No. 1397 Patta No. 957 and Patta No. 1118 situated at Thevaiyur south village Veppanthattai Taluk, Perambalur District.

2. It is the claim of the petitioner that, in respect of the properties mentioned in his representation dated 22.11.2022 it is the joint property of the petitioner, his sister and his brother / fourth respondent. Therefore, since these three persons are the legal heirs of the properties concerned, patta should have been issued jointly in the name of the three persons. However, the 4th respondent has obtained patta for the entire properties in his name. Therefore, in order to cancel the same and issue joint patta by including the name of the petitioner as well as other legal heirs, the petitioner has given a representation on 22.11.2022 to the 3rd respondent and to consider the same, the petitioner has moved the present writ petition.



W.P.No.4250 of 2023

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondent. In view of the order that is going to be passed in this writ petition, notice to the 4th respondent is hereby dispensed with.

4. Learned Special Government Pleader would submit that, if the petitioner's grievance is that his name also has to be included in the patta to be jointly issued in the name of the petitioner, his sister and his brother/4th respondent, he has to make an on-line application to the 3rd respondent espousing the grievance to get a joint patta along with his brother and sister and that would be considered and needful would be undertaken within a time frame that may be stipulated by this Court.

5. Considering the submissions made by the learned Special Government Pleader, this Court is inclined to dispose of this writ petition with the following order.

- That it is open to the petitioner to make an on-line application espousing his grievance to get joint patta along with his brother and sister within a period of two weeks from the date of receipt of a copy of this order.



W.P.No.4250 of 2023

WEB COPY

- On receipt of such application, the 3rd respondent shall consider it and pass necessary orders thereon of course after hearing the petitioner as well as the 4th respondent and other legal heirs, if any, within a period of six weeks thereafter.

6. With the above directions, this writ petition is disposed of. No costs.

14.02.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non Speaking Order

KST
To

- 1.The District Collector
Perambalur District
Perambalur.
- 2.The District Revenue Officer
Perambalur District
Perambalur.
- 3.The Thasildar
Veppanthattai Taluk
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Perambalur District.



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W.P.No.4250 of 2023

R. SURESH KUMAR, J.

KST

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