



WEB COPY

W.P.No.17602 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.17602 of 2023

E.Jothimani

... Petitioner

Vs.

1.The District Collector
District Collectorate
Cuddalore.

2.The Revenue Tahsildar
Taluk Office
Kattumannarkoil
Cuddalore District 608 301.

3.The Village Administrative Officer
Vaanamadevi Revenue Village
Kattumannarkoil
Cuddalore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to delete the name of Ambedkar Mandram and consequently include the names of the petitioner and the legal heirs of the deceased elder brother of the petitioner Vetriveeramani namely 1.Rajakala Mani, 2.Lokeshwari and 3.Maheshwari and the deceased legal heir of another brother Nandhakumar namely 1.Esther



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Ruby Roslet, 2.Anoushka, 3.Teresa and 4.Elayaperumal in the patta for the property situated at Vanamadevi Village, Kattumannarkoil Taluk, Cuddalore District comprised in New R.S.No.11/14A1 admeasuring 0.7.50 Ares by considering the representation of the petitioner dated 11.07.2022 as per the provisions of section 10 of the Tamil Nadu Patta Pass Book Act, 1983.

For Petitioner : Mr.M.Saravanan

For Respondents : Mr.N.Naveen Kumar
Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the 2nd respondent to delete the name of Ambedkar Mandram and consequently include the names of the petitioner and the legal heirs of the deceased elder brother of the petitioner Vetriveeramani namely 1.Rajakala Mani, 2.Lokeshwari and 3.Maheshwari and the deceased legal heir of another brother Nandhakumar namely 1.Esther Ruby Roslet, 2.Anoushka, 3.Teresa and 4.Elayaperumal in the patta for the property situated at Vanamadevi Village, Kattumannarkoil Taluk, Cuddalore District comprised in New R.S.No.11/14A1 admeasuring 0.7.50 Ares by considering the representation of the petitioner dated 11.07.2022 as per the provisions of section 10 of the Tamil Nadu Patta Pass Book Act, 1983.



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2. The grievances of the writ petitioner is that the subject property was purchased by his father Late Mr.L.Elayaperumal. However, necessary changes are not made in the register and the petitioner submitted a representation for grant of patta. Since no action has been taken, the petitioner is constrained to move the present writ petition.

3. The learned Government Advocate appearing on behalf of the respondents made a submission that the property stands in the name of the father of the writ petitioner Late Mr.L.Elayaperumal. Therefore, the authorities have no objection to grant patta in the name of Late Mr.L.Elayaperumal.

4. Since Mr.L.Elayaperumal is no more the authorities are bound to conduct an enquiry by affording an opportunity to all the legal heirs of Late Mr.L.Elayaperumal and thereafter, issue appropriate orders. In this regard, there are eight legal heirs for Late Mr.L.Elayaperumal as per the legal heir certificate issued on 27.01.2006.



5. Thus, the respondents are directed to issue notice to all the legal heir and conduct an enquiry and thereafter, pass appropriate orders on merits and in accordance with law preferably within a period of twelve (12) weeks from the date of receipt of copy of this order.

6. With the above directions, this Writ Petition stands disposed of. No costs.

14.06.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

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