



WEB COPY

W.P. No.28849 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.28849 of 2023

J.Neela

... Petitioner

Vs.

1. The District Collector
District Collectorate,
Ranipet District
Ranipet - 632 401

2. The Revenue Divisional Officer
Office of Revenue Divisional Officer
Ranipet Revenue Division
Ranipet - 632 401

3. The Tahsildar
Walajah Taluk
Ranipet District - 632 513

4. M.Kumar

5. M.Karunakaran

6. M.Mahendran

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue writ of Mandamus directing the 2nd respondent to consider the representation dated 10.02.2021 and consequently cancel the Patta fraudulently obtained by the respondents No.4 to 6 and their sisters



Mrs.Jamuna and Mrs.Girija, as per the TSLR extract dated 05.02.2020, on the file of the 3rd respondent, within a specified time period to be stipulated by this Court.

For Petitioner : Mr.V.Ramanareddy

For Respondents : Mr.V.Veluchamy
Additional Government Pleader
for R1 to R3

ORDER

This Writ Petition is filed seeking a writ of Mandamus directing the 2nd respondent to consider the representation dated 10.02.2021 and consequently cancel the Patta fraudulently obtained by the respondents No.4 to 6 and their sisters Mrs.Jamuna and Mrs.Girija, as per the TSLR extract dated 05.02.2020, on the file of the 3rd respondent, within a specified time period to be stipulated by this Court.

2. The contention of the petitioner is that the property comprised in Town Survey No.2066/4, situated in Block No.30, 2nd Ward, Walajah Town, Walaja Taluk, Ranipet District, to an extent of 32.5 Cents, with 14,203 Sq.Ft. vacant house site along with 600 Sq.Ft. constructed house thereon, was



originally purchased by the petitioner's husband in the year 1973 and both of them were jointly possessing and occupying the said property. Subsequently, the petitioner's husband settled the property in the name of the petitioner out of love and affection and registered the same vide Doc. No.1189 of 2009, dated 20.02.2009, on the file of SRO, Walajah. While so, during the petitioner's absence in the property, the respondents 4 to 6 occupied the property and took illegal possession of the same and also obtained Patta fraudulently in their names. On coming to know about the same, a complaint was given to the 2nd respondent on 10.02.2021 and also to the 3rd respondent on 16.08.2022. However, now action was taken. Hence, the present writ petition is filed.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for respondents 1 to 3 and perused the records.

4. It is seen that though the petitioner has given representation on 10.02.2021 itself, so far, no steps have been taken to rectify the mistakes addressed in this writ petition.



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5. In the light of the limited scope of prayer sought for in this writ petition and the submissions of the learned counsel on either side, this Court without going into the merits of the case, directs the 2nd respondent to consider the representation of the petitioner dated 10.02.2021 and pass appropriate orders on merits and in accordance with law, after giving opportunity of hearing to all interested parties/rival claims if any, as expeditiously as possible provided within a period of three months from the date of receipt of copy of this order.

6. With the above directions, the writ petition is disposed of at the admission stage itself. However, there shall be no order as to costs.

06.10.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



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P.VELMURUGAN. J.

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