



W.P.No.365 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.365 of 2020  
and  
W.M.P.No.1859 of 2020

D.Jayanthi

...Petitioner

-Vs-

1.The District Collector,  
Vellore,  
Vellore District.

2.The District Revenue Officer,  
District Revenue Office,  
Sathuvachavdi,  
Vellore District.

3.The Thasildar,  
Katpadi Taluk Office,  
Vellore District.

4.M.Devendiran

...Respondents

*\*\* impleaded as per order dated 24.02.2020  
made in W.M.P.No.1859 of 2020 in W.P.No.365 of 2020*

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the 2<sup>nd</sup> respondent to dispose of the petitioner's representation dated 18.11.2019 by affording personal hearing within stipulated period and pass



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such further orders.

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For Petitioner : Mr.T.Ananthasekar  
for M/s.S.Raja Ravi Varma

For R1 to R3 : M/s.R.L.Karthika  
Government Advocate

For R4 : No appearance

### **ORDER**

This writ petition is filed for issuance of a Writ of Mandamus, directing the second respondent to dispose of the petitioner's representation dated 18.11.2019 by affording personal hearing within the stipulated period.

2. The case of the petitioner is that the property comprising survey No.112/4 to the extent of 0.32.5 hectares, situated at Maliyapattu village, Katpadi Taluk, Vellore District, was originally owned by his father, Duraisamy Gounder, who had acquired the same by way of a registered sale deed dated 21.06.1964 purchased from Govindasamy. The said sale deed was duly registered as Doc No: 1400 of 1964 from the date of the purchase of the above-mentioned property. The petitioner's father was in possession of the said property on the witness of the same separate patta, which was duly issued in favour of his father in Patta No: 410.



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3. Learned counsel for the petitioner submits that his father, Duraisamy Gounder had executed a settlement deed in favour of the petitioner vide registered settlement deed in Doc No:3865/2010 dated 09.12.2010 for the properties situated in Survey No.112/4, and the petitioner had acquired possession of the said property by way of the settlement deed on witness of her possession, which was issued in Patta No.953.

4. Learned counsel further submits that one Deviendhiran S/o Mani who is related as a brother to the petitioner (father's brother's son) in order to encroach and grab the petitioner's property by giving false information to the third respondent, that the said property was the ancestral property obtained joint patta in the name of 1) Duraisamy Gounder, 2) Krishnaveni Ammal, and 3) Deviendhiran, deleting the petitioner's name in the patta and obtained joint patta in Patta No.628. However, the respondents deleted the petitioner's name and issued joint patta without verifying the document or putting her on notice.

5. Learned counsel further submits that the petitioner issued a legal notice on 30.10.2019 and the same was received by the respondents, but no



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action was initiated for issuing the patta in petitioner's name. On 18.11.2019, the petitioner preferred his representation to the respondents. On receipt of the same, the first respondent issued his communication to the second respondent in O.MU.D3/23907/2019 dated 18.12.2019 to take appropriate action on the petitioner's representation. Even after the same, the second respondent has kept the petitioner's representation pending without passing any orders. Aggrieved by the same, the petitioner has approached this Court by way of filing this writ petition.

6. Heard the learned counsel on either side and perused the materials placed on record.

**7. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, the second respondent / District Revenue Officer, District Revenue Office, Sathuvachavdi, Vellore District, is directed to consider the petitioner's representation dated 18.11.2019 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any, including the fourth**



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**respondent, within a period of six weeks from the date of receipt of a copy of this order.**

In the result, the **writ petition stands disposed of with the above observation and direction.** No costs. Consequently, connected miscellaneous petition is closed.

**06.06.2024**

cda

Index : Yes/No

Speaking/Non Speaking order

To

- 1.The District Collector,  
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Vellore District.
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Sathuvachavdi,  
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**J.SATHYA NARAYANA PRASAD, J.**

cda

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**06.06.2024**