



W.P.No.1001 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.1001 of 2024

and

W.M.P.No.1048 of 2024

1.K.Parimala
2.Nathiya
3.Ashok Kumar

... Petitioners

versus

1. The Tahsildar,
Tiruchengode Taluk,
Tiruchengode,
Namakkal District.

2.Palaniappan

3.Muthayee

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent herein to consider the representation of the first petitioner dated 13.04.2023 requesting him to issue joint patta in the name of the petitioners with respect of the land measuring an extent of 16 ½ cents comprised in S.No.86/2B,

Pg.Nos.1/6



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Pokkampalayam Village, Tiruchengode Taluk, Namakkal District and pass necessary orders in the light of the report submitted by the Taluk Surveyor, Tiruchengode, dated 13.06.2019 and the report of the respondent dated 25.07.2019 in his office Ref.Na.Ka.No.1277-2019 (A9) within the time that may be fixed by this Court.

For Petitioners : Mr.P.Mani

For Respondent : Mrs.V.Yamuna Devi
Special Government Pleader for R1

ORDER

Mrs.V.Yamuna Devi, learned Special Government Pleader accepts notice for the first respondent. Since this writ petition is being disposed of without passing any adverse orders against respondents 2 and 3, affecting their interest, notice to those respondents is dispensed with.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the first respondent herein to consider the representation of the first petitioner dated 13.04.2023, wherein and whereby, she sought to issue joint patta in the name of the petitioners herein in respect of the land measuring an extent of 16 ½ cents, comprised in

Pg.Nos.2/6



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S.No.86/2B, Pokkampalayam Village, Tiruchengode Taluk, Namakkal District and pass necessary orders in the light of the reports submitted by the Taluk Surveyor, Tiruchengode, dated 13.06.2019 and the first respondent herein dated 25.07.2019.

3. It is seen from the records that the first petitioner's husband viz., Kamaraj has already filed an appeal before the Revenue Divisional Officer, Tiruchengode to cancel the patta issued in the name of one Ramasamy and to issue patta in his favour in respect of the subject property. While so, the Taluk Surveyor, Tiruchengode has submitted a report dated 13.06.2019 and the first respondent herein also submitted a report dated 25.07.2019 recommending the Revenue Divisional Officer, Tiruchengode to issue patta in the name of the first petitioner's husband. The Revenue Divisional Officer rejected the appeal filed by the first petitioner's husband. Subsequently, the first petitioner's husband died. After the death of the said Kamaraj, the first petitioner herein instead of challenging the order of the Revenue Divisional Officer by way of revision before the District Revenue Officer, or made a fresh appeal before the Revenue Divisional Officer, has given a



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representation to the first respondent herein. It is further seen that the first respondent herein has already completed the enquiry and submitted a report, and hence, he has nothing to do with the present representation. If at all the petitioners aggrieved with the order passed by the Revenue Divisional Officer, the petitioners have to approach either the District Revenue Officer by way of revision or the Revenue Divisional Officer by way of fresh appeal. Therefore, the petitioner is not entitled to get any relief as sought for in this writ petition.

4. In view of the above, the writ petition is dismissed. However, the petitioners are at liberty to work out their remedy in the manner known to law. However, there shall be no order as to costs.

5. W.M.P.No.1048 of 2024 is ordered on payment of separate Court fees by each of the petitioners.

18.01.2024

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ms

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To

The Tahsildar,
Tiruchengode Taluk,
Tiruchengode,
Namakkal District.

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