



W.P.No.6827 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.6827 of 2019
and
W.M.P.No.7606 of 2019

1.Jamindar (Minor)

2.Manikandan (Minor)

3.Karuppasamy (Minor)

1st to 3rd petitioners are being minors
represented by their natural guardian-cum-mother
P.Pavalakodi

... Petitioners

Vs.

1.The District Collector,
Ariyalur District, Ariyalur.

2.The District Revenue Officer,
Ariyalur, Ariyalur District.

3.The Revenue Divisional Officer,
Ariyalur, Ariyalur District.

4.The Thasildar,
Ariyalur Taluk Office,
Ariyalur.

5.The Village Administrative Officer,



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Rayampuram Village and Post,
Ariyalur Taluk and District.

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6.Murugesan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the first respondent to consider the petitioners appeal dated 24.01.2019 in pursuance to cancel the Patta in the name of the sixth respondent and issue Patta in the petitioners name in respect of agricultural land to an extent of 0.29.0 Ares (72 ½ cents) comprised in S.No.36/7, Rayampuram Village, Ariyalur Taluk and District within a time frame as fixed by this Court.

For Petitioners : Mr.M.Saravana Kumar

For Respondents :
For R1 to R5 : M/s.M.Jayanthy
Additional Government Pleader

For R6 : No appearance

ORDER

This Writ Petition has been filed seeking for issuance of a mandamus, to direct the first respondent to consider the petitioners appeal dated 24.01.2019 in pursuance to cancel the Patta in the name of the sixth respondent and issue Patta in the petitioners name in respect of agricultural land to an extent of 0.29.0 Ares (72 ½ cents) comprised in S.No.36/7, Rayampuram Village, Ariyalur Taluk and District.

2. The brief facts of the case are as under:-



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2.1. The petitioners are represented by their Mother and Natural Guardian namely P.Pavalakodi. On 15.12.2015, she purchased an agricultural land measuring to an extent of 0.29.0 Ares (72 ½ cents) situated at S.No.36/7, Rayampuram Village, Ariyalur Taluk, Ariyalur District from her vendors namely Marimuthu, Balakrishnan and Govindarasu, all are residing at Nallampalayam Village, Sendurai Taluk, Ariyalur District. The purchased property/subject property was registered as Doc.No.3203 of 2015 in the Sub Registrar Office, Sendurai, Ariyalur Taluk, Ariyalur District. While being so, the petitioners mother P.Pavalakodi sent detailed representation dated 14.10.2017 to the respondents to grant Patta for the subject property and applied for online application to get the Patta. But, the respondents failed to grant Patta in the name of the petitioners.

2.2. The further case of the petitioners is that Patta for the subject property was issued by the fourth respondent in favour of the vendors vide Patta No.867. After purchase of the subject property, the petitioners Natural Guardian P.Pavalakodi had given a detailed representation to the fourth respondent, requesting to mutate the Patta from the vendors. Since the fourth respondent failed to take any steps, the petitioners Natural Guardian P.Pavalakodi filed W.P.No.6126 of 2018, which is still pending. While being



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the position so, in reply on 21.09.2018, the fourth respondent stated that the petitioners name had been mutated in the Patta, but, even though, the same has not been issued till date. During the month of January 2019, in the local magazine, it has been published that the Patta was issued vide Patta No.3088 in favour of the sixth respondent, who is not at all vendor or interested party in respect of the subject property. Thereafter, the petitioners Natural Guardian P.Pavalakodi approached the first respondent to cancel the Patta issued in favour of the sixth respondent. But, the first respondent failed to give proper response. Therefore, once again, she sent a representation to the first respondent through RPAD by way of an appeal. Hence the writ petition.

3. Learned counsel appearing for the petitioners submitted that several representations were sent to the respondents to cancel the Patta issued in favour of the sixth respondent. He further submitted that Appeal Petition was also filed before the first respondent on 24.01.2019, to cancel the Patta which was wrongly made by the fourth respondent.

4. Learned Additional Government Pleader appearing for the first to fifth respondents submitted that counter affidavit was filed by the fourth respondent. She further submitted that time frame may be fixed by this Court to dispose the



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petitioners appeal, pending on the file of the first respondent.

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5. In view of the above submission made by the learned Additional Government Pleader appearing for the first to fifth respondents, the first respondent is directed to consider the petitioners appeal dated 24.01.2019, on merits, in accordance with law, and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.
Connected Writ Miscellaneous Petition is closed.

16.07.2024

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

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To

1.The District Collector,
Ariyalur District, Ariyalur.



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2.The District Revenue Officer,
Ariyalur, Ariyalur District.

3.The Revenue Divisional Officer,
Ariyalur, Ariyalur District.

4.The Thasildar,
Ariyalur Taluk Office,
Ariyalur.

5.The Village Administrative Officer,
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