



WEB COPY



WP.No.19793 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.19793 of 2024

K.Sharmila

.. Petitioner

Versus

1.The District Collector
Chennai District Collector Office
Rajaji Salai, George Town
Chennai – 600 001

2.The Revenue Divisional Officer
North Chennai Division
Madhavaram, Chennai – 600 066

3.The Tahsildar
Perambur Taluk, Chennai – 600 011

4.Visalakshi
5.Selvakumar
6.Senthil
7.Purusothuman

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to issue patta in the joint name of the petitioner and her daughter K.Gunashree and her son K.Harinath in respect of the property bearing Door No.58A, Thirunavakarasu Mudali Street, Perambur, Chennai – 600 011, comprised in TS.No. 76/1 measuring 890 sq.ft by canceling the Patta in TR No.1173/ 2010 stood in the name of Visalakshi, Selvakumar, Senthil and Purusothuman, the Respondents 4 to 7 herein in pursuant to the report Dt. 18/01/ 2023 in Ref. No.Na.Ka.No.A2/231/2022 submitted by the 3rd respondent to the 2nd



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respondent.

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For Petitioner : Mr.N.Nagu Sah
For Respondent : Mr.P.Sathish
Additional Government Pleader

ORDER

This writ petition is filed for a direction to the 2nd respondent to issue patta in the joint name of the petitioner and her children in respect of the property bearing Door No.58A, Thirunavakarasu Mudali Street, Perambur, Chennai – 600 011, comprised in TS.No. 76/1 measuring 890 sq.ft by cancelling the Patta in TR No.1173/ 2010 stood in the name of Visalakshi, Selvakumar, Senthil and Purusothuman, the Respondents 4 to 7 herein in pursuant to the report dated 18.01.2023 in Ref.No.Na.Ka.No.A2/231/2022 submitted by the 3rd respondent to the 2nd respondent.

2. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

3. Since, no adverse order is passed against the respondents 4 to 6, notice to them is dispensed with. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

<https://www.mhc.tn.gov.in/jud4> 4. It is the case of the writ petitioner that the petitioner and her children



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are the absolute owner of the property deriving title from her late husband

Mr.Kumaresan, however, based on the fraudulent settlement deed, patta has been issued to the official respondents. Hence, the petitioner has submitted a representation on 26.09.2016 and the third respondent submitted a report on 18.01.2023 to the second respondent recommending for issuance of patta, however, the same is pending without consideration. Hence, this writ petition.

5. Considering the limited relief sought for in this writ petition, this Court without going into the merits of the case directs the second respondent to consider the recommendation made by the third respondent and pass appropriate orders on merits and in accordance with law, after giving notice to the private respondents and any other interested persons. Such exercise shall be completed within a period of two months from the date of receipt of copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

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dhk

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:Yes/No

N. SATHISH KUMAR, J.



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To,

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