



WP.No.17824 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.17824 of 2024

A.K.Venkatesan

... Petitioner

.. Vs ..

1. The District Collector,
Dharmapuri District, Dharmapuri.

2. The Revenue Divisional Officer,
Harur, Dharmapuri District.

3. The Tahsildar,
Harur Taluk, Dharmapuri District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents 1 to 3 to issue patta in respect of the land comprised in S.No.58/1A situated at Achalvaadi Village and post, Harur Taluk, Dharmapuri District in the name of legal heir of the petitioner deceased mother Sellammal in light of the judgment and decree dated 14.07.2011 in A.S.No. 21 of 2009 on the file of Subordinate Judge, Harur based on the representations dated 19.03.2018 and 20.09.2023 within a stipulated time.



WP.No.17824 of 2024

WEB COPY

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

This writ petition is filed to direct the respondents 1 to 3 to issue patta in respect of the land comprised in S.No.58/1A situated at Achalvaadi Village and post, Harur Taluk, Dharmapuri District in the name of legal heir of the petitioner deceased mother Sellammal in light of the judgment and decree dated 14.07.2011 in A.S.No. 21 of 2009 on the file of Subordinate Judge, Harur based on the representations dated 19.03.2018 and 20.09.2023 within a stipulated time.

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. It is the contention of the petitioner that the property has been purchased by the mother of the petitioner on 17.03.1964. Ever since the date of purchase, they are in possession of the property. Only in the year 2006, they came to know that there was wrong entry in the patta in the name of one



WP.No.17824 of 2024

Vengal and Palani. In this regard, they had filed a suit in O.S.No.264 of 2006 for mandatory injunction. Though the suit has been dismissed, the appeal in A.S.No.21 of 2009 was allowed wherein mandatory injunction has been granted directing the respondent to include the name of the petitioner. As against which no second appeal has been filed and the matter has reached finality. The petitioner has sent various representations dated 15.06.2016, 05.06.2017, 16.05.2017, 01.08.2018, 19.03.2018, 22.05.2018 and 20.09.2013 to remove the entry pursuant to the decree in the in A.S.No.21 of 2009. However, the same has not been considered by the respondents. Hence, seeks a direction to consider the representation of the petitioner.

4. The learned Additional Government Pleader appearing for the respondents on instructions submitted that as the second appeal has not been filed as against the decree and judgment in A.S.No.21 of 2009, they have no objection to include the name of the petitioner.

5. In such view of the matter, as the Civil Court has already directed the revenue authorities and decree has also been passed to include the name of the petitioner, the respondents shall issue patta to the petitioner. Such an exercise shall be done within the period of two months from the date of receipt of a copy of this Order.



WP.No.17824 of 2024

WEB COPY 6. With the above direction, this Writ Petition is disposed of. No costs.

16.07.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

1. The District Collector,
Dharmapuri District, Dharmapuri.
2. The Revenue Divisional Officer,
Harur, Dharmapuri District.
3. The Tahsildar,
Harur Taluk, Dharmapuri District.



WEB COPY



WP.No.17824 of 2024

N. SATHISH KUMAR, J.

vrc

W.P.No.17824 of 2024

16.07.2024