



WEB COPY



W.P.No.20494 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.20494 of 2024

Govindasamy

.. Petitioner

Vs

- 1 The District Collector
Kallakurichi District
- 2 The Revenue Divisional Officer
Kallakurichi 606 213
- 3 The Revenue Tahsildar
Taluk Office
Kallakurichi District
- 4 Visalakshi
- 5 Naveenkumar
- 6 Meena
- 7 Anjalai

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 3 to consider the petitioner's representations dated 10.02.2024, 12.02.2024 and 24.06.2024 and consequently, direct the respondents 1 to 3 to cancel patta no.1735 and restore patta no.987 in favour of the petitioner's son Gokulabharathi's name with respect to the petitioner's property bearing S.No.162/14E2 in Nallathur Village, Kallakurichi Taluk & District.

For Petitioner

Mr. T. Nixon

For RR 1 to 3

Mr. A. Selvendran

Special Government Pleader



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ORDER

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With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking a writ of mandamus directing the respondents 1 to 3 to consider the petitioner's representations dated 10.02.2024, 12.02.2024 and 24.06.2024, seeking to cancel the patta No.1735 and restore the patta No.987 in favour of the petitioner's son Gokulabharathi's name, with respect to the petitioner's property bearing S.No.162/14E2 in Nallathur Village, Kallakurichi Taluk & District.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3 and perused the materials placed on record.

4. It is the case of the petitioner that his father executed a Settlement Deed dated 27.09.2010 which was registered as document No.1910 of 2010, in favour of his minor son Gokulabharathi's name, settling the subject property and obtained patta No.987; he filed a suit in O.S.No.315 of 2015 for declaration



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of title, on the file of the Additional Sub Court, Kallakurichi; subsequently, the respondents 4 to 7, who are his mother, sisters and brother, have jointly filed a suit in O.S.No.216 of 2016 for declaration of title, on the file of the Additional Sub Court, Kallakurichi, in respect of the subject property; when the said suits are pending, the 2nd respondent sub-divided the subject property and issued patta No.1735 in favour of the respondents 4 to 7; therefore, he made representations on 10.02.2024, 12.02.2024 and 24.06.2024 to the respondents 1 to 3, seeking to cancel the patta No.1735 and restore the patta No.987; since no action has been taken by the respondents on the said representations, the petitioner has filed the present writ petition.

5. Considering the limited relief scope of the relief sought in this writ petition, there shall be a direction to the respondents 2 and 3 to consider and pass orders on the petitioner's representations dated 10.02.2024, 12.02.2024 and 24.06.2024 on their own merits and in accordance with law, after affording opportunity to the persons in whose name the patta stands now, within a period of two months from the date of receipt of a copy of this order.

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

25.07.2024

gya



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Index : Yes/No

Neutral Citation : Yes/No

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N.SATHISH KUMAR, J.

gya

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