



WEB COPY



W.P.No.21531 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM

THE HON'BLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P.No.21531 of 2019

K.Murugan

... Petitioner

vs.

- 1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
- 2.The District Revenue Officer (D.R.O.)
Tiruvannamalai District,
Tiruvannamalai.
- 3.The Revenue Divisional Officer (R.D.O.)
Cheyyar Revenue Division,
Cheyyar, Tiruvannamalai District.
- 4.The Tahsildar,
Vandavasi Taluk, Vandavasi,
Tiruvannamalai District.

5.P.Radhika

... Respondents

Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 08.06.2019 within stipulated period and consequently direct the 4th respondent to issue a patta document



W.P.No.21531 of 2019

in his favour from stands in his father's name in respect of patta document No.54 on his file.

For Petitioners : Mr.K.Murugan
For R1 to R4 : Ms.M.Jayanthy
Addl.Govt.Pleader
For R5 : No Appearance

ORDER

The petitioner has filed this petition seeking a direction to the respondents 1 to 4 to consider the petitioner's representation dated 08.06.2019 within stipulated period and consequently direct the 4th respondent to issue a patta document in his favour from stands in his father's name in respect of patta document No.54

2. The case of the petitioner is that the petitioner is residing in his ancestral property. On 28.08.1996, the patta document stands in the name of petitioner's father in respect of the petitioner's house plot properties which was assigned under Land Tax Scheme and issued by the Special



W.P.No.21531 of 2019

Thasildar, Vandavasi. Subsequently, his father died on 16.11.2011 leaving behind the petitioner and his brother as legal heirs.

3. It is the further case of the petitioner that the 5th respondent's father namely, Mr.Panneer Selvam who is residing in back side of his house plot and having patta document in his favour in respect of his survey No.470/11 which is total extent of 0.94 square meters. Further, the 5th respondent sent representation to the respondents against the petitioner's deceased father properties, wherein issued summon to his deceased father of the 5th respondent by the authorities concerned, the same has been decided an ex-parte in her favour on the ground that the petitioner's deceased father did not attend the day of enquiry fixed by the authorities concerned.

4.The learned counsel appearing for the petitioner would submit that the petitioner is in possession and enjoyment of the property for four decade situated in Survey Nos.472/8, 472/9, to an extent of 118,0.97 sq.meters, at Seeyamangalam Village, Vandavasi Taluk. Since, his father's house plot properties stands in the name of 5th respondent on the



W.P.No.21531 of 2019

file of fourth respondent. Thereafter, the petitioner sent a representation to the respondents 1 to 4 on 08.06.2019 for seeking patta transfer document in their favour from stands in the petitioner's father's name in respect of patta document No.54. But the respondents have not been considered the same, till date. Hence, the petitioner has filed the present writ petition.

5. Heard the learned counsel on either side and perused the materials placed on record.

6. In view of the submissions made by the learned counsel on either side, the fourth respondent / Thasildar, Vandavasi Taluk, Vandavasi, Tiruvannamalai District, is directed to consider the petitioner's representation dated 08.06.2019, after giving notice to both parties, affording an opportunity of personal hearing to him, to take into consideration the relevant documents submitted by both the parties at the time of the enquiry in regard to the subject matter property, and pass appropriate orders on merits, in accordance with law and by following/observing the above principles of natural justice, within a period of six weeks from the date of receipt of a copy of this order.



W.P.No.21531 of 2019

WEB COPY 7. This Writ Petition is disposed of with the aforesaid observation and direction. No costs.

10.06.2024

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

To

- 1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
- 2.The District Revenue Officer(D.R.O.)
Tiruvannamalai District,
Tiruvannamalai.
- 3.The Revenue Divisional Officer(R.D.O.)
Cheyyar Revenue Division,
Cheyyar, Tiruvannamalai District.
- 4.The Thasildar,
Vandavasi Taluk, Vandavasi,
Tiruvannamalai District.

J.SATHYA NARAYANA PRASAD,J.



WEB COPY



W.P.No.21531 of 2019

kkd

W.P.No.21531 of 2019

10.06.2024