



WEB COPY



W.P.No.23741 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.23741 of 2024

Sellammal

... Petitioner

VS.

1.The District Collector,
Namakkal District,
Namakkal.

2.The District Revenue Officer,
Namakkal District,
Namakkal.

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

4.The Tahsildar,
Senthamangalam Taluk,
Namakkal District.

5.Manonmani

6.Prabakaran

7.Priyadarshini

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 herein to cancel the Joint Patta No.39 in the name of respondents 5 to 7 and issue separate Patta in the name of Petitioner, Sellammal in respect of land measuring 1591 sq.ft., comprised in Survey No.56/5C1 situated at Devarayapuram Village, Senthamangalam Taluk, Namakkal District by considering the petitioner's representation dated 18.12.2023 and 08.01.2024 within a stipulated time to be fixed by this Court.

For Petitioner : Mr.R.Jayaprakash

For R1 to R4 : Mr.A.Selvendran
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents 1 to 4 to cancel the Joint Patta No.39 issued in the name of respondents 5 to 7 and issue separate patta in the name of the petitioner in respect of land measuring an extent of 1591 sq.ft., comprised in Survey No.56/5C1 situated at Devarayapuram Village, Senthamangalam Taluk, Namakkal District, by considering her representations dated 18.12.2023 and 08.01.2024, within a stipulated time to be fixed by this Court.



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2. Though the petitioner sought for a direction to the respondents 1 to 4 consider two representations dated 18.12.2023 and 08.01.2024, at the time of argument, the learned counsel appearing for the petitioner confined his argument to consider her representation dated 08.01.2024.

3. According to the petitioner, she purchased the above mentioned land from the mother of 5th respondent namely Karuppayi under a registered Sale Deed dated 14.02.1990 registered as Document No.100/1990 and she has been in possession and enjoyment of the same right from the date of purchase. The patta for the above said land was wrongly issued by including the names of the respondents 5 to 7. Therefore, the petitioner submitted various representations seeking cancellation of patta issued in the names of the respondents 5 to 7 and issuance of separate patta in her name on the basis of the judgment rendered by this Court in S.A.No.972 of 2014, dated 13.03.2020. The same has not been considered till date by the Official Respondents. Therefore, the petitioner is before this Court.

4. Mr.A.Selvendran, learned Special Government Pleader, who is taking notice for the respondents 1 to 4 would submit that the representation



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of the petitioner dated 08.01.2024 would be considered on its own merit by the 3rd respondent within the time fixed by this Court.

5. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the 3rd respondent to consider the representation of the petitioner dated 08.01.2024 and pass final orders on its own merit and in accordance with law, after issuing necessary notice to the respondents 5 to 7, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of. No costs.

20.08.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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To

1. The District Collector,
Namakkal District,
Namakkal.
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Namakkal.
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S.SOUNTHAR, J.

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