



W..P.No. 32889 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2024

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 32889 of 2024

A.Muthaiyan

... Petitioner

V.s

1. The District Collector,
District Collector's Office,
Vengikkal Village and Post,
Tiruvannamalai Taluk and District – 606 604
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruvannamalai – 606 601
3. The Tahsildar,
Taluk Office,
Kilpennathur Taluk – 604 601
4. A. Ponnan Pillai
5. A. Subiramani Pillai
6. K. Rajathi Ammal
7. E.Santha

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Mandamus directing the 2nd respondent to consider and pass order on the petitioner's representation dated 28.08.2024 to cancel the pattas that stands in the names of respondents 4 to 7 in Patta No.488 and 622 respectively and issue patta in his name after making survey and subdivision of his property.

For Petitioner : Mr.K.Narayanan
For Respondents 1 to 3 : Mr.R.P.Murugan Raja
Government Advocate

ORDER

The petitioner, who is aggrieved by the issue of patta by the 3rd respondent in the name of respondents 4 to 7 after deleting the name of the petitioner and his brother, had filed this writ petition.

2. The petitioner claims a right to the properties on the basis of a Settlement Deed dated 02.03.2020, however, patta was standing in the joint names of his family members. Since the patta in patta Nos.622 and 488 was standing in the joint names, after the settlement in his



favour, the petitioner had approached the 3rd respondent to survey and subdivide the land and to issue a separate patta in his name. However, he was shocked to learn that the names of his brother and himself, which was earlier mentioned in the joint patta, had been deleted and a new patta in Patta No.488 had been issued in favour of respondents 4 and 5 to an extent of 1.86 ares and in patta No.622, in the name of respondents 6 and 7 for an extent of 2.31 ares. Therefore, a representation had been made and the same has not been considered to date. Hence, this writ petition has been filed.

3. Heard the learned counsels on either side.

4. The petitioner has made a representation on 28.08.2024 and to date, the matter has not been taken up by the 2nd respondent who is the competent authority for enquiry. The 2nd respondent has failed to exercise the duty cast upon him. Therefore, a mandamus is issued to the 2nd respondent to consider and pass orders on the petitioner's



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representation dated 28.08.2024, after issuing notice to the petitioner and respondents 4 to 7, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. Accordingly, the Writ Petition is allowed. There shall be no order as to costs.

12.11.2024

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn

To,

1. The District Collector,
District Collector's Office,
Vengikkal Village and Post,
Tiruvannamalai Taluk and District – 606 604
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruvannamalai – 606 601
3. The Tahsildar,
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Kilpennathur Taluk – 604 601



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P.T.ASHA, J.,

srn

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