



W.P.No.30647 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.30647 of 2024

M.Balamurugan

...Petitioner

Vs.

1. The District Collector,
Thiruvannamalai District,
Tiruvannamalai.
2. The Revenue Divisional Officer,
Arani, Tiruvannamalai District.
3. The Tahsildhar,
Polur Taluk,
Tiruvannamalai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 and 3 herein to consider the petitioner's representation dated 12.12.2022, seeking issuance of patta in respect of the properties in Sethurampattu Village in S.No.417/5.

For Petitioner : Mr.S.V.Karthikeyan

For Respondents : Mr.A.Selvendran
Special Government Pleader



W.P.No.30647 of 2024

WEB COPY

ORDER

The petitioner herein seeks a direction to the respondents 2 and 3 to consider his representation dated 12.12.2022, seeking issuance of patta in respect of the properties in survey no.417/5, Sethurampattu Village, Polur Taluk, Thiruvannamalai District.

2. By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

3. It is the case of the petitioner that the above mentioned property has been bequeathed by the petitioner's grandfather Annamalai Udaiyar in favour of the petitioner's mother Kuppammal under a Will dated 24.07.1985. Subsequently, the petitioner's mother executed a registered Will dated 04.08.2008 as Document No.98 of 2009, on the file of the Sub Registrar, Kalambur, through which, the petitioner has got right over the property. In such circumstances, seeking issuance of patta in his name, the petitioner made a representation, which has not been considered by the respondent authorities.



W.P.No.30647 of 2024

Therefore, the petitioner is before this court.

WEB COPY

4. Heard both sides and perused the documents enclosed in the typed set of papers.

5. It is seen from the typed set that the petitioner sought for patta in respect of the land in S.No.417/5. The petitioner claims right over said property under will executed by his mother and she is still alive as per averments found in writ affidavit. Therefore, the petitioner has no right to make representation seeking patta in his name. However, it is open to the petitioner's mother to file a representation seeking issuance of patta in her name. If any such representation is filed by the petitioner's mother, the same shall be considered on its own merits and in accordance with law.

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

18.10.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order



av

WEB COPY



W.P.No.30647 of 2024



WEB COPY



W.P.No.30647 of 2024

S.SOUNTHAR, J.

av

To

1. The District Collector,
Thiruvannamalai District,
Tiruvannamalai.
2. The Revenue Divisional Officer,
Arani, Tiruvannamalai District.
3. The Tahsildhar,
Polur Taluk,
Tiruvannamalai District.

W.P No.30647 of 2024

18.10.2024