



W.P.No.33821 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.33821 of 2024

Dhanalakshmi

...Petitioner

Vs.

1. The District Collector,
Chengalpet District.
2. The Revenue Divisional Officer,
Madhranthagam, Chengalpet District.
3. The Tahsildhar,
Cheyyur Taluk, Chengalpet District.
4. Manoharan

...Respondents

Prayer: Writ Petition is filed under Article 226 of the constitution of India to issue a Writ of Mandamus directing the respondents 2 and 3 to consider the petitioner's representation dated 29.07.2024 regarding the cancellation of the patta No.337 granted in favour of the 4th respondent and to revise the patta as per the old record i.e in favour of the petitioner's father-in-law.



WEB COPY



W.P.No.33821 of 2024

For Petitioner : Mr. P.Anbazhagan

For Respondents
1 to 3 : Mr.A.Selvendran
Special Government Pleader

ORDER

The writ petition has been filed for a mandamus directing the respondents 2 and 3 to consider the petitioner's representation dated 29.07.2024 regarding the cancellation of the patta No.337 granted in favour of the 4th respondent and to revise the patta as per the old record i.e in favour of the petitioner's father-in-law.

2. The petitioner whose representation was made on 29.07.2024 to respondents 1 to 3, seeking to cancel the patta issued in favour of the 4th respondent, is before this Court, contending that the representation has not been taken up hearing to date.



W.P.No.33821 of 2027

WEB COPY

3. The petitioner's case is that the land measuring an extent of 0.3 cents comprised in Survey Nos.257/6, 258/18 stood in the name of her father-in-law, late Elumalai. Elumalai had resided in the said premises till his death on 21.09.1996. The petitioner's husband, Thiruvengadam and Yagathaiammal, wife of Elumalai and the 4th respondent herein, his son are his legal representatives on his demise and the property was being enjoyed by all them. Meanwhile, the petitioner's husband, Thiruvengadam died on 12.04.2019 and the petitioner inherited the said property. The 4th respondent, who was working as a village assistant, appears to have abused his position to transfer the patta to his exclusive name. The old patta, which stood in the name of the petitioner's father-in-law, was patta No.55. Now, the patta has been changed to patta No.337 in the exclusive name of the 4th respondent. Immediately, on coming to know about the said transfer, the petitioner has made a representation to respondents 1 to



W.P.No.33821 of 2024

3. However, there has been no action taken by them. Therefore, the petitioner is before this Court.

4. Heard the learned counsels on either side.

5. Having heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents, this Court is passing orders at the admission stage without issuing notice to the 4th respondent. Considering the fact that the transfer of patta has taken place without notice to the petitioner and since the petitioner has sought for cancellation of the patta in her representation, therefore a mandamus is issued to the 2nd respondent to consider the representation dated 29.07.2024 and pass orders, after issuing notice to the petitioner and the wife of the Elumalai, Yagathaiammal as also the 4th respondent, giving them a personal hearing and passing orders, on merits and in accordance with law



W.P.No.33821 of 2024

within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

20.11.2024

Index : Yes/No
Internet : Yes/No
srn

To

1. The District Collector,
Chengalpet District.
2. The Revenue Divisional Officer,
Madhranthagam, Chengalpet District.
3. The Tahsildhar,
Cheyyur Taluk, Chengalpet District.



WEB COPY



W.P.No.33821 of 2024

P.T. ASHA, J,

srn

W.P.No. 33821 of 2024

20.11.2024