



W.P.No.35812 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

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Jhansi rani

...Petitioner

Vs.

1.The District Collector
Vilupuram District,
Vilupuram.

2.The District Revenue Officer
Vilupuram District,
Vilupuram.

3.The Tahsildar
Melmalaiyamur Taluk,
Vilupuram District.

4.Radha

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the respondents to consider the petitioner's



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representation dated 13.02.2023, within a time stipulated by this Court and issue patta in the name of the petitioner and his siblings in respect of Survey Nos.42/9, 0.03 cent, 42/11, 0.03 cent, 42/13, 0.04 cent, 42/14, 0.06 cent, 42/16, 0.13 cent, 42/21, 0.03 cent, 42/22, 0.02 cent, 42/23, 0.03 cent, 121/5, 0.02 cent in total 39 cents situated at Thazhankundaram Village, Melmalayanur Taluk, Villupuram District.

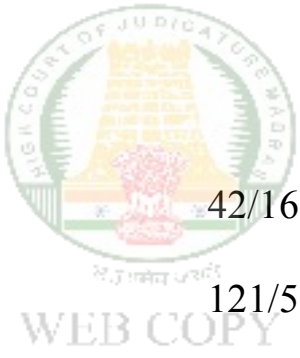
For Petitioner : Mr. V.Achuthanandan

For Respondent : Mr. G.Velu
Additional Government Pleader

ORDER

The petitioner whose representation dated 13.02.2023, for issue of patta in favour of herself and her siblings have not been considered to date, is before this court.

2. It is the case of the petitioner that the Punja lands covered under Survey Nos.42/9, 0.03 cent, 42/11, 0.03 cent, 42/14, 0.06 cent,



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42/16, 0.13 cent, 42/21, 0.03 cent, 42/22, 0.02 cent, 42/23, 0.03 cent, 121/5, 0.02 cent, in total 35 cents situated at Thazhankundaram Village, Melmalayanur Taluk, Villupuram District, originally belonged to the petitioner's maternal grand father, Arunachala Chettiar.

3. The said Arunachala Chettiar had executed a registered “*Will*” dated 01.08.1996, bequeathing the entire extent to the petitioner's mother, Saraswathi Ammal and other lands were bequeathed to the 4th respondent, who is none else than the grand son of the petitioner's father.

4. On 17.06.1998, Arunachala Chettiar died and the property devolved on the petitioner's mother, Saraswathi Ammal. The said Saraswathi Ammal died intestate on 07.05.2012 and the petitioner's father had predeceased her. She had left behind her surviving four sons, Selvarasu, Dharmaraj, Soundarajan and Thiyagarajan and one daughter, Jhansi Rani, the petitioner.



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5. The petitioner's contention is that in the year 2021, they had made a representation to the 3rd respondent to issue patta and patta No.2152 was issued in respect of S.No.42/13 alone and not with reference to remaining survey numbers. Several reminders have been sent to the 3rd respondent. On 27.01.2023, when the petitioner had made a representation to the 3rd respondent, she came to learn that the patta had been issued in favour of the 4th respondent, with reference to the other survey numbers.

6. The petitioner had sent a representation to the 3rd respondent with a copy marked to the 1st and 2nd respondents. The 1st respondent had directed the 3rd respondent to take appropriate action, by communication dated 17.02.2023. To date it has not been considered. Therefore, the Writ Petition.

7. Heard the learned counsels on the either side and perused the records.



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8. The petitioner has sent a representation dated 13.02.2023 to the 3rd respondent to consider her representation. Further, the 1st respondent vide communication dated 17.02.2023 directed the 3rd respondent to take appropriate action on the petitioner's representation. However, the 3rd respondent has failed to discharge his statutory duty.

9. Considering the above facts, a mandamus is issued to the 3rd respondent to consider the petitioner's representation dated 13.02.2023 and take appropriate action in this regard.

10. The Writ Petition is allowed. No costs.

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Index : Yes/No
Internet : Yes/No
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