



WEB COPY



WP.No.37596 of 2024

In the High Court of Judicature at Madras

Dated : 16.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.37596 of 2024

Chandra

Vs

...Petitioner

1.The District Collector,
Tiruvannamalai,
Tiruvannamalai District.

2.The Revenue Divisional Officer,
Chengam, Tiruvannamalai.

3.The Tahsildar, Chengam,
Tiruvannamalai District.

4.Manokaran
5.Chozhasarathi
6.Parasuraman

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to take necessary steps on the representation of the petitioner dated 17.11.2023 and pass orders within a stipulated time.

For Petitioner : Mr.B.Jawahar
For R1 to R3 : Mr.S.Jayachandran, GA



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ORDER

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Seeking a Mandamus to the second respondent to consider her representation dated 17.11.2023 for the cancellation of patta granted to respondents 4 to 6 and to issue a patta in her favour, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for respondents 1 to 3.

3. The case of the petitioner is as follows :

(i) The petitioner is the absolute owner of the lands in S.Nos. 202/16 and 202/34, Adi Annamalai Village, Tiruvannamalai District. The patta was also granted in her favour in respect of the said lands. Adjacent to the said lands, the petitioner's father was in enjoyment of a vacant natham poramboke land measuring 15 cents in S.No.202. After the demise of her father, the petitioner inherited the said 15 cents also.

(ii) The said vacant natham poramboke land was subdivided into S.Nos.202/51, 202/55 and 202/56 and the patta was issued in the names of respondents 4 to 6. On coming to know about the same, the petitioner sent a representation dated 16.5.2019 to respondents 1 to 3 seeking to cancel the patta granted to respondents 4 to 6 and to issue



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a patta in her name in respect of S.Nos.202/51, 202/55 and 202/56.

Further, vide proceedings dated 03.6.2019, the said representation dated 16.5.2019 was forwarded by the second respondent to the third respondent for inquiry.

(iii) Respondents 4 and 5 are father and son. The sixth respondent is the son in law of the fourth respondent. They are all living jointly.

(iv) The petitioner also appeared before the third respondent for the inquiry and submitted her case. The report dated 31.7.2020 was forwarded by the third respondent to the second respondent. Later, vide proceedings dated 08.10.2021, the second respondent sought certain clarifications from the third respondent and had also questioned the issuance of patta to more than one member in the same family. Thereafter, there was no progress. Hence, once again, the petitioner sent representation dated 17.11.2023 to respondents 1 to 3 seeking to cancel the patta issued to respondents 4 to 6. However, the said representation is yet to be considered. Hence the writ petition.

4. Considering the limited nature of the prayer sought, the writ petition is allowed and a Mandamus is issued to the second respondent to consider the said representation of the petitioner dated 17.11.2023



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and after giving an opportunity to present her case, pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. No costs.

16.12.2024

To

- 1.The District Collector,
Tiruvannamalai,
Tiruvannamalai District.
- 2.The Revenue Divisional Officer,
Chengam, Tiruvannamalai.
- 3.The Tahsildar, Chengam,
Tiruvannamalai District.

RS



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RS

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