



W.P.No.554 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 10.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 554 of 2025

R.V. Celin

.... Petitioner

Vs

1. The District Collector,
Nagapattinam District,
Nagapattinam - 611 001.

2. The District Revenue Officer,
The District Collector's Office,
Nagapattinam - 611 001.

3. The Revenue Divisional Officer,
Nagapattinam,
Nagapattinam District - 614 810.

4. The Thasildhar,
Nagapattinam Taluk,
Nagapattinam District.

.... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the revenue divisional officer, the 3rd



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respondent herein, to complete the formal enquiry based on the representation given by the petitioner in Reference No. 8961251 dated 27.07.2024 and to take necessary steps to issue the joint patta in favour of the petitioner herein.

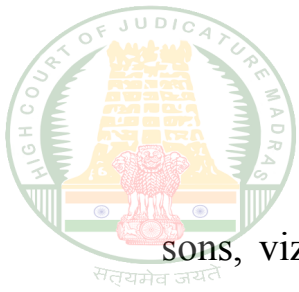
For Petitioner : Mr.T.R.Sathyamohan
for M/s.SVV Law Firm

For Respondents : Mr.M.R.Gokul Krishnan
Additional Government Pleader.

ORDER

The petitioner seeks a writ of mandamus directing the third respondent to complete the enquiry that has been conducted by him on the representation of the petitioner dated 27.07.2024.

2. The petitioner has come forward with the writ petition by stating that the property, consisting of one acre of land comprised in old R.S.No.104/2 and New R.S.No.104/6, situated at Nithiyapettai Village, Thirupayathangudi Post, Kangalancheri, Nagapattinam Taluk, Nagapattinam District, was originally owned by G.Stanislaws, who is the petitioner's elder brother. By a last Will and Testament dated 24.02.1992, the said G.Stanislaws bequeathed the property jointly to the petitioner and her two



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sons, viz., R.Francis and R.Xavier Joseph. The said G.Stanislaw died on 30.12.1992 and the will came into force. The petitioner would submit that they have planted more than 40 coconut saplings, 10 teak trees, 2 palm saplings, vembu trees, jamun trees and other trees and saplings in the said land, which have now grown into huge trees and yielding fruits.

3. The petitioner had made an application to the first respondent, i.e., the District Collector, to issue a patta in favour of herself and her two sons, on 10.02.2020. However, no action has been taken. Once again the petitioner submitted a representation to the first respondent on 27.07.2024 for issuance of a patta. Thereafter, the petitioner received a communication from the the fourth respondent dated 19.09.2024, stating that the representation of the petitioner had been accepted and that an inspection or enquiry would be conducted. Though several months have passed, to date the petitioner has not received any intimation from the respondents, particularly the third respondent viz., the Revenue Divisional Officer. Therefore, the petitioner is before this Court.



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4. Heard Mr.T.R.Sathiyamohan, learned counsel appearing on behalf of the petitioner and Mr.M.R.Gokul Krishnan, learned Additional Government Pleader appearing on behalf of the respondents and perused the materials available on record.

5. It is undisputed that the petitioner initially submitted a representation on 10.02.2020 and thereafter, on 27.07.2024, for issue of patta. The respondents responded by stating that an enquiry would be conducted. However, no further action has been taken by the respondents. Therefore, since the respondents have failed to discharge their statutory duties, a mandamus is issued to the respondents to consider and pass orders on the representation submitted by the petitioner dated 27.07.2024 within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition stands allowed.

No costs.



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Index : Yes/No

Internet : Yes/No

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P.T. ASHA, J.

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