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W.P.No.38782 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.01.2025

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.No.38782 of 2024
and W.M.P.No.41994 of 2024

1.Vana Mohan @ S.R.Mohan
2.M.Rajaselvi
3.P.Chellammal

...Petitioners

Vs.

1.The District Collector,
Cuddalore District,
Gundu Salai Road, Alpet,
Manjakuppam, Cuddalore – 607 001.

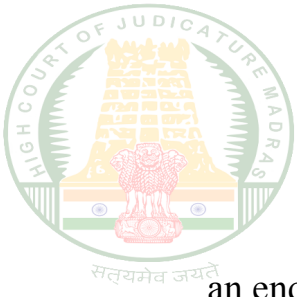
2.The Tahsildar,
Cuddalore Main Road,
Virudhachalam HO,
Virudhachalam – 606 001.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 2nd respondent to conduct an enquiry on the representation made by the petitioners on 11.11.2024.

For Petitioners : Ms.V.Srimathi
For Respondent : Mr.G.Velu for R1 & R2
Additional Government Pleader

ORDER



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This Writ Petition is filed to direct the second respondent to conduct an enquiry on the representation made by the petitioners on 11.11.2024.

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2.The property which is the subject matter of this Writ Petition belonged to one Gopal Dass Bhaavaji, the same was purchased by Vanathai Ammai under the registered Sale Deed bearing Document No.580/1971. The properties were comprised in 2 survey numbers viz., S.No.9/1 measuring to an extent of 1.06 acre and S.No.9/2 measuring to an extent of 4.74 acres.

3.In fact, Gopal Dass Bhaavaji had entered into an agreement of sale with the said Vanathai Ammal on 24.07.1972. On the same day, possession was handed over. Since then agricultural operations were carried on, the seller i.e. Gopal Dass Bhaavaji promised to demarcate the property along with the help of the Revenue Officials and promised to register the Sale Deed in favour of Vanathai Ammal in respect of S.No.9/2 measuring to an extent of 4.74 acres in Patta No.243 on 29.10.1975, the partition was effected between Samikannu, Vanathai Ammal, Pazhamalai, Ranganathan, Vanarajan and the petitioners.

4.Further, that out of a total extent of 4.74 acres in S.No.9/2,



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Pazhamalai acquired to an extent of 2.37 acres. The first petitioner/father had acquired a similar extent of 2.37 acres under the registered Partition Deed dated 29.10.1975. Thereafter, in a partition on 07.12.1990 between the petitioners and his father, S.No.9/2 was allotted to the petitioners. The terms of partition was reduced into a Deed. The petitioners would submit that his property is clearly demarcated, him and his wife Rajaselvi/second petitioner herein are in possession of 2 acres of land.

5.The second petitioner, wife of the first petitioner purchased an extent of 1 acre of the property from one Veera Raghavan on 14.11.2011 in S.No.9/2. He in turn had purchased the property under a registered Sale Deed dated 29.11.2010 from Vanarajan. The second petitioner had further purchased another extent of 1 acre from one K.Theyagarajan under the registered Sale Deed dated 12.07.2012. The second petitioner, also purchased property from S.P.Kumar under the registered Sale Deed dated 29.03.2012.

6.The petitioner would submit that 37 cents in S.No.9/2 stands in the



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name of Pazhamalai. He died intestate and being the husband of the third petitioner, she survived his interest in the said property. The patta stands in the name of Ranganathan and Pazhamalai and also includes the name of Bairagi Mutt represented by Ranganathan and Pazhamalai though Bairagi Mutt had no right to the property. The petitioners would submit that they had submitted a representation to the second respondent dated 11.11.2024 to delete the name of Bairagi Mutt from the patta. However, the said representation has not been addressed till date. Therefore, the petitioner is before this Court.

7. Heard the learned counsel on either side and perused the materials available on record.

8. Considering that the limited plea made by the petitioners is for an early disposal of their representation dated 11.11.2024, since the second respondent has not even issued a notice and hearing, a mandamus is issued to the second respondent to conduct an enquiry on the representation dated 11.11.2024 and thereafter, decide as to whether the name of Bairagi Mutt has to be removed from the Revenue Records. It is needless to state that the



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second respondent shall give a personal hearing to the petitioners, Bairagi

Mutt as well as interested parties and pass orders within a period of 3

months from the date of receipt of a copy of this order. No costs.

Consequently, connected miscellaneous petition is closed.

06.01.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To

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2.The Tahsildar,
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