



WP No.39301 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 02.01.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

WP No.39301 of 2024
and WMP No.42558 of 2024

G.Vanitha

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Arni,
Thiruvannamalai District – 632 301
2. The Tahsildar,
Arni, Thiruvannamalai District – 632 201
3. S.Jothilingam
4. J.Sulochana
5. N.Amsammal

... Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus directing the respondents 1 and 2 to consider the representation dated 09.07.2024 and 05.08.2024 made by the petitioner and to cancel the pata in patta No.114, granted in favour of the



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respondents 3 to 5 herein in respect of the lands measuring an extent of 77 ¼ cents out of the total extent of 3 acres and 09 cents comprised in S.No.131/1, Mullipattu Village, Arni Taluk, Thiruvannamali District in accordance with law within a time frame.

For Petitioner : Mr.W.M.Abdul Majeed
For Respondents : Mr.A.Selvendran
Special Government Pleader
for Respondents 1 to 3

ORDER

The petitioner has filed the writ petition seeking for a Mandamus directing the respondents 1 and 2 to consider the representation dated 09.07.2024 and 05.08.2024 made by the petitioner and to cancel the patta in patta No.114, granted in favour of the respondents 3 to 5 herein in respect of the lands measuring an extent of 77 ¼ cents out of the total extent of 3 acres and 09 cents comprised in S.No.131/1, Mullipattu Village, Arni Taluk, Thiruvannamali District in accordance with law within a time frame.

2. The case of the petitioner is that the land measuring an extent of 3 Acres and 9 cents comprised in S.No.131/1, Mullipattu Village, Arni



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Taluk, Thiruvannamalai District originally belonged to one A.S.Karthikeyan

The said A.S.Karthikeyan gave powers to one Ramalingam on 24.12.1992 and as he was dissatisfied with the conduct of his Power Agent, he cancelled the power on 20.04.1993. Thereafter, the said Karthikeyan executed the Sale deed dated 04.05.1993 in favour of V.G.Krishna Reddy and three others. The legal heirs of V.G.Krishna Reddy sold an extent of 77 ¼ cents to the petitioner under the Sale deed dated 22.02.1996. Since then, the petitioner is in absolute possession of the above said property.

3. It appears that the said Ramalingam suppressing the cancellation of the Power of Attorney had executed three sale deeds dated 21.01.1993, 22.01.1993 and 29.01.1993 in favour of respondents 3 to 5 herein. The aforesaid persons are none other than his close relatives. Aggrieved by the same, the petitioner's predecessors in title B.V.Munirathinam Reddy, B.V.Amarnath Reddy and R.Sundaravelu had filed OS No.817 of 1995 against the said Karthikeyan, Ramalingam and respondents 3 to 5, seeking cancellation of the aforesaid three sale deeds before the District Munsif Court, Arni. The original vendor A.S.Karthikeyan



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died without filing any written statement and it is only the respondents 3 to 5 and the said Ramalingam defended the suit. The suit came to be dismissed by judgement and decree dated 20.12.2002. Aggrieved by the same, the plaintiffs filed First appeal and second appeal and both the appeals were dismissed.

4. While so, the petitioner came to learn that patta had been issued in favour of respondents 3 to 5 by the 2nd respondent without any notice to the petitioner and others. The petitioner therefore submitted a representation dated 09.07.2024 to respondents 1 and 2 to cancel the patta issued in favour of the respondents 3 to 5. Despite receiving the same, no action has been taken on the said representation to date. Therefore, the petitioner is before this Court seeking a mandamus.

5. Heard Mr.W.M.Abdul Majeed, learned counsel for the petitioner and Mr.A.Selvendran, learned Special Government Pleader for Respondents 1 to 3.



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6. It is seen that the respondents have not passed any orders on the representation made by the petitioner on 09.07.2024 and a second one on 05.08.2024, therefore, a mandamus is issued to the respondents 1 and 2 to act upon the representation made by the petitioner and deal with the same on its own merits and in accordance with law, after affording an opportunity to respondents 3 to 5 and petitioner to put forth their contentions in person and take a decision within a period of eight weeks from the date of receipt of a copy of this order,.

7. This Writ petition is allowed accordingly. No costs.
Consequently, the connected miscellaneous petition is closed.

02.01.2025

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Index :Yes/No
Internet:Yes
Speaking Order/Non-speaking Order



WEB COPY



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P.T.ASHA.,J

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To

1. The Revenue Divisional Officer,
Arni,
Thiruvannamalai District – 632 301
2. The Tahsildar,
Arni, Thiruvannamalai District – 632 201

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