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W.P.No. 2240 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.2240 of 2025

V.Ravi

.... Petitioner

Vs

- 1.The District Collector
Office of the Collectorate
Coimbatore District.
- 2.The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Coimbatore North Taluk
Coimbatore District.
- 3.The Tahsildar
Office of the Tahsildar
Coimbatore North Taluk
Coimbatore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent authority to comply with the order dated 30.09.2022 vide proceedings No.RTR:5394/2022/A1 and include the names of legal heirs of Vellingiri and



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Natarajan in patta with regard to the property to an extent of about 1 acre in Survey No.253, No.4, Telugupalayam Village, Coimbatore District, within such time as may be stipulated by this Court.

For Petitioner : Mr.A.Rajkumar

For Respondents : Mr.A.Selvandran
Special Government Pleader [R1 to R3]

ORDER

The writ petition is filed seeking a mandamus to the third respondent to comply with the proceedings dated 30.09.2022 in No.RTR:5394/2022/A1, with respect to inclusion of names of the legal heirs of late Vellingiri and late Natarajan in the patta.

2. The petitioner is the son of late Vellingiri. A property measuring an extent of one acre in Survey No.253, No.4, Telugupalayam Village, Coimbatore District was allotted to said Vellingiri and one Natarajan, by way of a registered deed of partition dated 04.02.1961, and they both became the common ancestor of the property. They had sold certain extent of property.



After the sale, the extent that was available and lying vacant with them was about 14.87 cents (6,480 sq.ft.).

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3. Natarajan died on 15.04.1994 leaving behind his wife, four daughters and a son. Vellingiri died on 26.07.1988, leaving behind his wife Rajamani, his 3 sons viz., Shanmugam, Jothimani, Ravi (the petitioner herein) and 3 daughters viz., Saraswathi, Janaki and Menaga. A suit in O.S.No.991/2011 was filed by the legal representatives of late Vellingiri against the respondents 1 and 3 herein, before the District Munsif Court, Coimbatore, to declare that they are the legal representatives of late Vellingiri and that suit came to be decreed. Of the sons of Vellingiri, Shanmugam had died on 13.07.2020 leaving behind his wife Siji, his mother Rajamani and his daughters Bakkiyalakshmi and Gomathi. Vellingiri's other son Jothimani died issueless, leaving behind his mother Rajamani as his only legal heir.

4. The petitioner thereafter submitted a representation on 19.07.2022 to the respondents for inclusion of the names of the legal representatives of late Vellingiri and late Natarajan, in the patta. Pursuant to which, Zonal Deputy



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Commissioner, Annuparpalayam had passed an order dated 30.09.2022, recommending the inclusion of their names. Till date, neither the request of the petitioner has been acceded to nor the order of Zonal Deputy Commissioner, Annuparpalayam, has been complied with. Hence, the petitioner is before this Court.

5. Heard the learned counsel on either side.

6. Considering the limited request made by the petitioner and taking note of the fact that for the past two years, no action has been initiated either on the representation of the petitioner or on the proceedings dated 30.09.2022, this Court directs the third respondent to comply with the proceedings dated 30.09.2022 issued by the Zonal Deputy Commissioner, Annuparpalayam, and include the names of the legal heirs of late Vellingiri and late Natarajan in the patta with regard to the subject property, within a period of four weeks from the date of receipt of a copy of this order.



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7. With the above direction, this writ petition stands allowed. No costs.

29.01.2025

Index : Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No
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P.T.ASHA, J.,

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