

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 08.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10153 of 2015
and M.P.No.1 of 2015

R.Jayaraman

.. Petitioner

Versus

1. The Revenue Divisional Officer,
Villupuram.

2. The Thasildhar,
Villupuram.

3. Angammal

4. Kaliyamurthy

5. Murugaiyan

6. Muthammal

7. Muthumani

8. Chokkalingam

9. Malliga

10. Jayalakshmi

11. Ranganathan

12. Chandra

13. The Joint Sub Registrar No.1,
Villupuram.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the 1st respondent to cancel the joint patta issued in favour of respondents 3 to 12 in the patta number of the petitioner in 12060 Salamedu Village Villupuram Taluk in respect of S.No.278/14B and also cancel separate patta issued in favour of 3rd respondent in patta No.12471 as Survey Nos. 278/14B2 and 278/14B3 at Salamedu Village Villupuram Taluk on the basis of the appeal petition given by the petitioner on 23.5.2014 and thereby direct the 13th respondent not to entertain any further registration of documents in respect of the above survey numbers by the respondents 3 to 12 or any person claiming under them.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.R.A.S.Senthilvel, (for R1, R2 & R13)
Additional Government Pleader.

O R D E R

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner claims that he is the absolute owner of the property situated at S.No.228/14B admeasuring to an extent of 1.76.50 hectares equaling to 4.36 acres situated at Salemedu Village, Villupuram Taluk and without making proper enquiry and acting on extraneous consideration at the instance of 3rd respondent, a joint patta was issued in favour of respondents 3 to 12 and taking advantage of the same, the said properties are sought to be alienated by them and therefore, came forward to file this writ petition.

3. Heard the submissions of Mr.N.Suresh, learned counsel appearing for the petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader, who accepts notice for respondents 1, 2 and 13.

4. The petitioner with regard to the above, has submitted a representation dated 23.05.2014 to the 1st respondent, praying for cancellation of joint patta and the 1st respondent vide summons dated 28.08.2014, called upon the petitioner and the rival claimants to appear before him along with relevant documents and according to the learned counsel appearing for the petitioner, he appeared on 19.09.2014 and produced all the documents and his statement was also recorded and thereafter, nothing happened and taking advantage of the same, the private respondents are taking serious attempts to alienate the property.

5. Though, the petitioner has sought for a larger relief, this Court in the facts and circumstances of the case, is of the view that it would be suffice to direct the 1st respondent to dispose of the representation dated 23.05.2014, within a stipulated time.

6. In the result, this Court, without going into the merits of the representation dated 23.05.2014 submitted by the petitioner, directs the 1st respondent to dispose of the petitioner's representation dated 23.05.2014 on merits and in accordance with law after putting the concerned parties on notice and dispose of the same, as expeditiously as possible and not later than six weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner.

7. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

ars

s/d-
Assistant Registrar(CS-III)

True Copy

To Sub-Assistant Registrar

1. The Revenue Divisional Officer,
Villupuram.

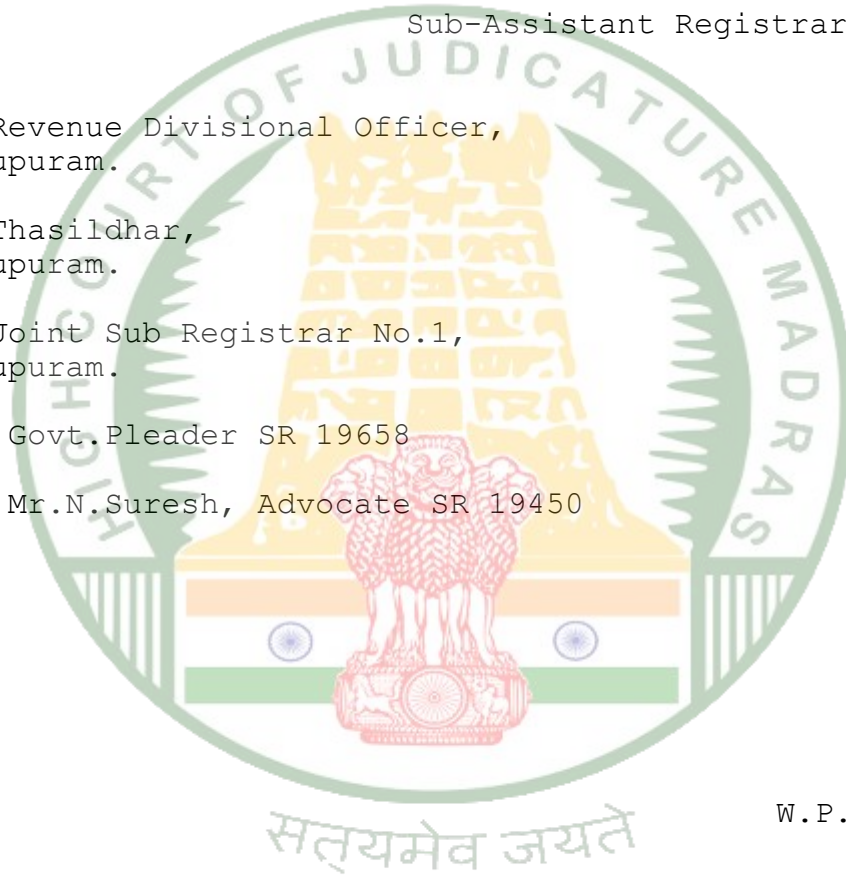
2. The Thasildhar,
Villupuram.

3. The Joint Sub Registrar No.1,
Villupuram.

+ 1 cc to Govt.Pleader SR 19658

+ 1 cc to Mr.N.Suresh, Advocate SR 19450

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