

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10363 of 2015

And

M.P.No.1 of 2015

R.Barathalvar Naidu

... Petitioner

Vs.

1.The District Collector,
Thiruvallur District Taluk,
Thiruvallur District.

2.The Tahsildar,
Thiruvallur Taluk,
Thiruvallur District.

3.The Sub-Registrar,
Perambakkam
Thiruvallur Taluk,
Thiruvallur District.

4.C.Jeevarathinam

5.C.Ramachandran

6.C.Ranganathan

7.C.Parthasarathy

8.C.Nagarathanam

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider the representation dated 3-3-2015 to issue direction to the 2nd respondent to cancel the patta wrongly transferred in favour of the respondents 4 to 8 and deceased Mr.Radhakrishnan with regard to the property situated at Thiruvallur Taluk in Erayamangalam village to an extent of A 1.59 cents in Punja Survey No.4/1 and to an extent of A 1.35 cents in Punja survey no.4/2 respectively.

For Petitioner : Mr.R.Balasubramanian

For Respondents: Mr.S.V.Duraisolaimalai for R1 to R3
Additional Government Pleader

O R D E R

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

2.The petitioner claims that the land admeasuring to an extent of A 1.59 cents in Survey No.4/1 and A 1.35 cents in Survey No.4/2 situated in Erayamangalam Village, Thiruvallur Taluk, Thiruvallur District originally belongs to to his grandfather and after his demise his father became owner of the property and after his father's demise, he became the absolute owner of the property and also obtained patta in his name vide Patta No.31 and he is cultivating Green Dhal, Groundnuts, Toor Dhal and other Manavari crops. Petitioner has also been issued with adangal for evidencing the cultivation. Since the petitioner was in need of money, he approached the concerned Village Administrative Officer to clear the arrears of kist and it was refused to be received on the ground that the land belongs to somebody else. The petitioner verified the records and came to know that the fourth respondent fraudulently changed patta in the name of the other private persons. In this regard, he has submitted a representation dated 03.03.2015 to the second respondent for cancelling the wrong entry made in the patta and registration of the original deed. Since he has not been favoured with with any response, came forward with this writ petition.

3.Heard the submissions of Mr.R.Balasubramanian, learned counsel appearing for the petitioner and Mr.S.V.Duraisolaimalai learned Additional Government Pleader, who accepts notice for the respondents 1 to 3.

4.This Court taking into consideration the limited scope of the prayer sought for and without going into the merits of the representation, directs the second respondent to dispose of the representation on merits and in accordance with law and pass orders after putting the concerned persons on notice, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision to the parties concerned. This writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Thiruvallur District Taluk, Thiruvallur District.

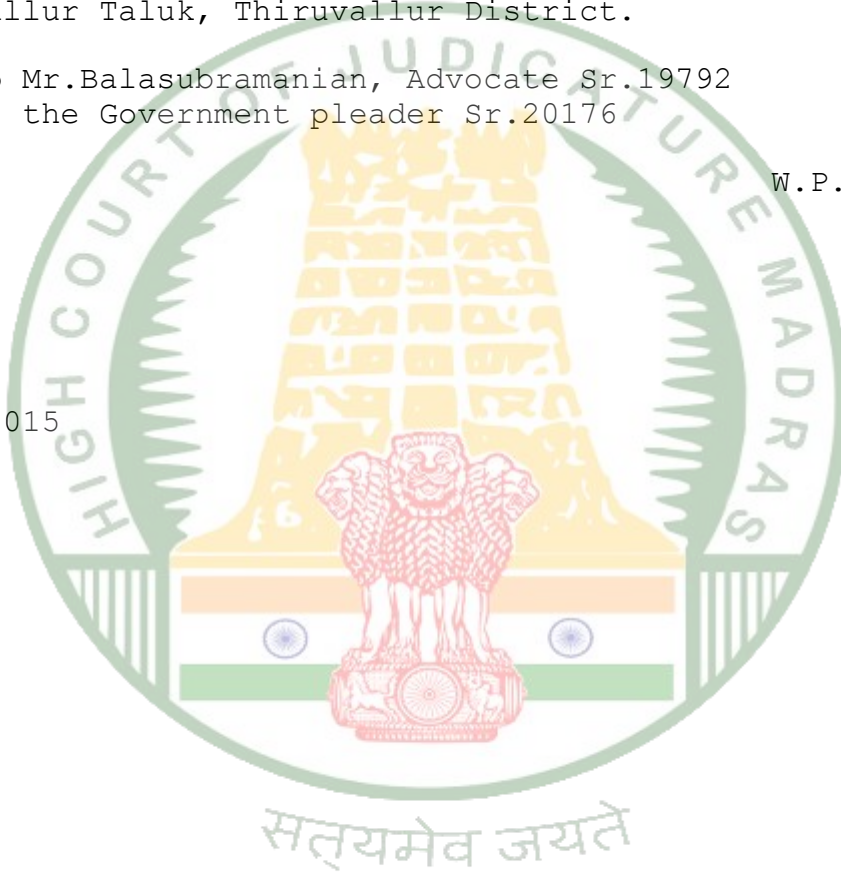
2.The Tahsildar,
Thiruvallur Taluk, Thiruvallur District.

3.The Sub-Registrar,
Perambakkam
Thiruvallur Taluk, Thiruvallur District.

+ 2 ccs to Mr.Balasubramanian, Advocate Sr.19792
+ 1 cc to the Government pleader Sr.20176

W.P.No.10363 of 2015
And
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RJ (CO)
Eu 22.04.2015



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