

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.10413 of 2015

and

M.P.No.1 of 2015

P.Valasammal

.. Petitioner

vs

1. The District Collector
Thiruppur District
Thiruppur
2. The Assistant Director of Panchayat
Thiruppur District
Thiruppur
3. The Taluk Supply Officer
Palladam Taluk
Thiruppur District
4. The Tahsildar
Palladam Taluk
Thiruppur District
5. The Block Development Officer
Pongalur Panchayat Union
Palladam Taluk
Thiruppur District
6. The President
Kaattur Village Panchayat
Pongalur Panchayat Union
Palladam Taluk, Thiruppur District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the fourth respondent to transfer the patta in favour of the petitioner in respect of the property comprised in Survey No.170/A2, situate at Kaattur Village, within the limits of Pongalur Panchayat Union, Palladam Taluk, Thiruppur District, based on the sale deed dated 18.6.2008 and petitioner's representation dated 1.4.2015.

For Petitioner : Mr.C.Prabakaran
For Respondent : Mr.M.Divgijaya Pandian
Additional Government Pleader
for RR1 to 6

ORDER

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

2.The grievance expressed by the petitioner, is that though she is the owner of 1.94 acres of land in Survey No.170/A2, situated at Kaattur Village, Thiruppur Taluk and District, by means of a registered sale deed dated 18.3.2008, (Document No.8973 of 2008, on the file of the Sub Registrar, Palladam), the fourth respondent, without any authority whatsoever, has started digging up the land and attempted to put up a superstructure for establishing a Ration Shop and in this regard, she has submitted a representation dated 1.4.2015, and though it was acknowledged, she has not been favoured with any kind of response; but, attempts are continued to be made to put up superstructure and hence, she was constrained to file this writ petition.

3.The learned Counsel appearing for the petitioner, would submit that till the disposal of the representation by the fourth respondent, a restraint order may be passed restraining them from doing so.

4.Heard the submission of Mr.M.Divgijaya Pandian, learned Additional Government Pleader, who accepted notice for the respondents, also.

5.Though the petitioner prayed for a larger relief, this Court is of the view that it would suffice to direct the fourth respondent to consider and dispose of the petitioner's representation dated 1.4.2015, on merits and in accordance with law, within a stipulated time frame.

6.In the result, the writ petition is disposed of, and the fourth respondent is directed to consider and dispose of the representation dated 1.4.2015, submitted by the petitioner, on merits and in accordance with law, as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this

order, after putting on notice, the parties concerned, and till then, restrained from precipitating the matter. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To:

1. The District Collector
Thiruppur District
Thiruppur
2. The Assistant Director of Panchayat
Thiruppur District
Thiruppur
3. The Taluk Supply Officer
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Kaattur Village Panchayat
Pongalur Panchayat Union
Palladam Taluk, Thiruppur District

+ 1 cc to M/s.C.Prabhakaran, Advocate SR 20104

+ 1 cc to Govt. Pleader, High Court, Madras SR 20272

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