

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10866 of 2015

S.M.Arivalagan

.. Petitioner

Versus

The Thasildar,
Omalur, Salem District.

.. Respondent

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondent herein to consider the representation of the petitioner herein dated 21.06.2014 along with the legal notice dated 25.09.2013 sent by the petitioner and consequently direct him to pass suitable orders on the same within an appropriate time.

For Petitioner: Mr.R.Nalliyappan

For Respondent : Mr.S.V. Durai Solaimalai
Additional Government Pleader.

O R D E R

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

2. The petitioner claims title to the property situated in S.F.No.452/4 at Thisaivilakku Village, Salem District, admeasuring to an extent of 97 $\frac{3}{4}$ cents through a registered Sale Deed dated 23.01.2009 and according to him, he is in possession and enjoyment of the property and the brother and sisters of the original vendor has also filed a suit against the petitioner in O.S.No.456 of 2012 on the file of the Court of District Munsif, Omalur and the said suit is pending adjudication.

3. The grievance expressed by the petitioner is that without issuing notice to the petitioner, the names of the plaintiffs in the above said suit were included in the patta, along with his name and in this regard, he sent a legal notice dated 25.09.2013 to the respondent as well as the jurisdictional Village Administrative Officer, Thisaivilakku Village and it was followed by a representation dated 21.06.2014 to the respondent and since, he has not been favoured with any response, came forward to file this writ petition.

4. Heard the submissions of Mr.R.Nalliyappan, learned counsel appearing for the petitioner and Mr.Durai Solaimalai, learned Additional Government Pleader, who accepts notice for the respondent.

5. This Court, taking into consideration the limited prayer sought for by the petitioner and without going into the merits of the legal notice dated 25.09.2013 and the further representation dated 21.06.2014, directs the respondent to consider and dispose of the legal notice and the representation submitted by the petitioner, on merits and in accordance with law, after putting the concerned persons on notice and pass orders 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 and the persons concerned.

6. It is also open to the petitioners to submit a fresh representation by enclosing a copy of the earlier representation to the respondent, along with the orders passed in this writ petition and the respondent also shall take into consideration the said representation and pass orders as stated above.

7. The writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

The Thasildar,
Omalar, Salem District.

सत्यमेव जयते

+ 1 cc to MR.R.Nalliyappan, Advocate Sr.20783
+ 1 cc to the Government Pleader Sr.21129

GR(CO)
Eu 28.04.2015

W.P.No.10866 of 2015

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