

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-02-2015

Coram :

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

Writ Petition No. 21691 of 2014

Sivaraj

.. Petitioner

Versus

1. The Collector
Dharmapuri District

2. The Revenue Divisional Officer
Dharmapuri

3. The Tahsildar
Pennagaram Taluk Office
Dharmapuri District

4. Jaya

5. Vanjikodi

(5th respondent was impleaded as per
order dated 09.02.2015 made in MP No.
1 of 2014 in WP No. 21691 of 2014)

.. Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to dispose of the petitioner's representation dated 11.09.2013 filed by him seeking to cancel the patta granted in favour of the fourth respondent in Patta No.1097 in respect of S.No.716/7 of Kodihalli Village, Pennagaram Taluk and Dharmapuri District.

For Petitioner : Mr. S. Doraisamy

For Respondents : Mr. S. Gunasekaran
Government Advocate for RR1 to 3
No appearance for R4

ORDER

The petitioner seeks for issuance of a Writ of Mandamus praying to direct the second respondent to dispose of his representation dated 11.09.2013 which was made seeking to cancel the patta granted in favour of the fourth respondent in patta No.1097 in respect of the land comprised in Survey No.716/7, Kodihalli Village, Pennagaram Taluk, Dharmapuri District.

2. The petitioner claims to be in possession and enjoyment of the land comprised in Survey No. 716/7 for the past 60 years. According to the petitioner, he made several representations to the respondents 1 to 3 to grant patta in his name, but they were not considered. While so, the petitioner came to know that for the land which is in possession of the petitioner, namely Survey No.716/7, patta was issued in favour of the fourth respondent vide Patta No. 1097. In this regard, the petitioner has given a representation dated 11.09.2013 to the respondents 1 to 3 seeking to cancel the patta issued to the fourth respondent. As the respondents 1 to 3 did not consider his request made in the representation dated 11.09.2013, the present writ petition is filed.

3. I heard the counsel for both sides. Having regard to the nature of relief sought for in this writ petition, without going into the merits of the averments made in the affidavit filed in support of the writ petition, I am inclined to issue a direction to the third respondent to consider the representation dated 11.09.2013 of the petitioner. Accordingly, the third respondent is directed to consider the representation dated 11.09.2013 of the petitioner, issue notice to the respondents 4 and 5, hear them and thereafter pass orders on merits and in accordance with law as expeditiously as possible.

4. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Asst.Registrar (Lok adalat)

/true copy/

Sub Asst. Registrar

rsh

To

1. The Collector
Dharmapuri District
2. The Revenue Divisional Officer
Dharmapuri
3. The Tahsildar
Pennagaram Taluk Office
Dharmapuri District

1 ccc to Mr.S.Doraisamy, sr. 6863
1 cc to Government Pleader, Sr. 6984

WP No. 21691 of 2014