

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.1491 of 2015

and

M.P.No.1 of 2015

1. E.Jaiganesh
2. R.Varadan
3. N.Uthiramani
4. G.Perumal
5. S.Vijayakumar @ Viji ... Petitioners

vs.

1. The District Collector
Villupuram District, Villupuram.
2. The Revenue Divisional Officer
Tindivanam, Villupuram District.
3. The Tahsildar
Taluk Office at Tindivanam
Villupuram District.
4. S.Sankar ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the second and third respondents to conduct comprehensive enquiry in respect of the land measuring an extent of 22 1/2 cents, comprised in Old Survey No.230 [Annadeenam land], New Survey No.43/11 of Vilangambadi Village, Tindivanam Taluk based on the petitioner's representation dated 21.09.2014 and 13.10.2014.

For Petitioner : Mr.D.Senthil Kumar
For Respondents : Mr.S.Gunasekaran
Government Advocate
for RR1 to 3
M/s.M.Kalyani for R4

ORDER

Heard Mr.D.Senthil Kumaar, learned counsel for the petitioners, Mr.S.Gunasekaran, learned Government Advocate appearing on behalf of respondents 1 to 3 and M/s.M.Kalyani, learned counsel appearing for R4.

2. The petitioners have filed this writ petition praying for a direction to the second and third respondents to conduct comprehensive enquiry in respect of the land measuring an extent of 22 1/2 cents, comprised in Old Survey No.230 [Annadeenam land], New Survey No.43/11 of Vilangambadi Village, Tindivanam Taluk based on the petitioner's representation dated 21.09.2014 and 13.10.2014.

3. The petitioners are all villagers, who are residing in Vilangambadi Village, Tindivanam Taluk, Villupuram District. The grievance of the petitioners is that the fourth respondent has changed the patta in the name of his mother by re-classifying the land, which was an Annadeenam land. In this regard, the petitioners have submitted a representation to the respondents 1 to 3 and since no enquiry was conducted, the petitioners are before this Court.

4. Learned Government advocate appearing on behalf of the respondents 1 to 3 would pray for sufficient time for the second respondent to enquire into the matter and pass appropriate orders.

5. Whereas the learned counsel appearing for the fourth respondent would submit that the patta granted in favour of the fourth respondent's mother one Logammal is a valid document and if at all any enquiry is conducted, the fourth respondent also should also be given an opportunity.

6. In the light of the above, the second respondent is directed to consider the representation dated 21.09.2014 submitted by the petitioner, followed by the reminder dated 13.10.2014, conduct an enquiry, after issuing notice to the petitioners as well as the fourth respondent and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. Till final orders are passed by the second respondent as per the above direction, no further construction shall be made in the property in question.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vj2

To

1. The District Collector
Villupuram District, Villupuram.
2. The Revenue Divisional Officer
Tindivanam, Villupuram District.
3. The Tahsildar
Taluk Office at Tindivanam
Villupuram District.

+2cc's to Mr.D.Senthil Kumar, Advocate, S.R.No.12014
+1cc to Mrs.M.Kalyani, Advocate, S.R.No.12801
+1cc to the Government Pleader, S.R.No.12176

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EV(CO)
CA(16/03/2015)

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