

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.15418 of 2015

V.P.Sethubalasubramaniam

... Petitioner

- Vs -

The Tahsildar,
O/o.Taluk Office,
Kangayam, Tiruppur District.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 30.03.2015 within a stipulated time.

Petitioner : Mr.C.Prakasam

For Respondent : Mr.M.Dig Vijayapandian
Addl. Government Pleader

ORDER

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

2. The petitioner claims that he owns a vast extent of agricultural land comprised in Old Survey No.1276, Kangayam Village, Tiruppur District and out of the said land, he sold away an extent of 1.00 Acre to one Sri.Kishorekumar Son of late Krishnasamy and the remaining portion of the land continued to be in his possession and enjoyment. The petitioner would further state that Sri.Kishorekumar has obtained patta No.101 for R.S.No.432/1 to the extent of 1.50 Acres though he is entitled for only 1.00 Acre and in this regard, there was a civil litigation in O.S.No.79 of 2006 on the file of the learned District Munsif, Kangayam and the said suit was decreed in favour of the petitioner herein. The appeal preferred by Sri.Kishorekumar in A.S.No.23 of 2010 before the learned Sub Judge, Dharapuram, was dismissed thereby confirming the decree and judgement passed by the trial court. Thereafter, the petitioner has submitted a representation dated 30.03.2015 to rectify the said mistake. Since he has not been favoured with any response, he has come forward with this writ petition.

3. Heard Mr.C.Prakasam, the learned counsel for the petitioner and Mr.M.Dig Vijayapandian, the learned Additional Government Pleader, who accepts notice for the respondent.

4. This court, taking into consideration of the relief sought for in the writ petition, directs the respondent to consider the petitioner's representation dated 30.03.2015 in accordance with law after putting on notice, Mr.Kishorekumar son of late Krishnasamy and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to Mr.Kishorekumar Son of late Krishnasamy.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

kmk

To

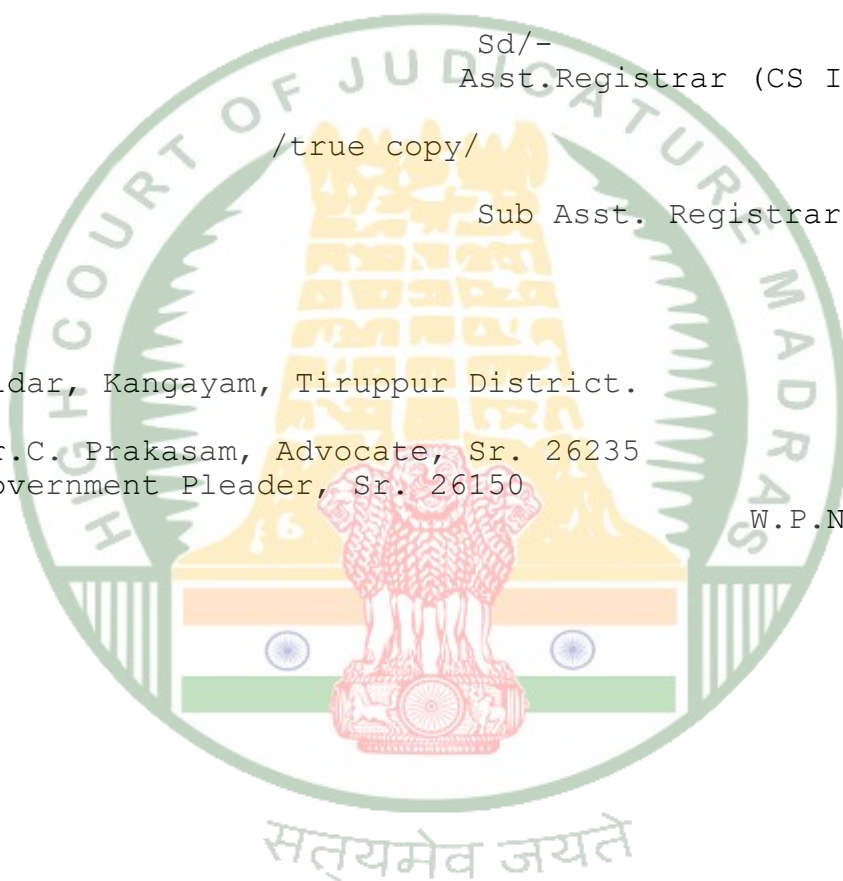
The Tahsildar, Kangayam, Tiruppur District.

1 cc to Mr.C. Prakasam, Advocate, Sr. 26235

1 cc to Government Pleader, Sr. 26150

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