

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 15-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.16809 OF 2015

K.Venkatesan

Petitioner

-VS-

The Tahsildar,
Tahsildar Office,
Tiruttani Taluk - 631 209,
Tiruvallur District.

Respondent

Writ Petition has been filed praying for issuance of a writ of certiorarified mandamus, to call for the records of the respondent in Na.Ka.8576/2014/A8, dated 13.04.2015, quash the same and consequently direct the respondent to consider and pass orders on the representation of the petitioner, dated 02.12.2013.

For petitioner : Mr.G.Karthikeyan

For respondent : Mr.R.Vijayakumar,
Addl.Govt.Pleader.

O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. Learned counsel for the petitioner would submit that pursuant to the order of this Court in W.P.No.18445 of 2014, dated 15.07.2014, the petitioner has submitted a representation to the respondent for change of patta on 19.08.2014, but the same was rejected by the respondent vide the order impugned, dated 13.04.2015. Challenging the legality of the same, the present Writ Petition has been filed.

3. Learned counsel for the petitioner has drawn the attention of this Court to the notice in Na.Ka.8576/2014/A8, dated 13.04.2015, sent by the respondent, and submitted that as per the said notice, the date of hearing was fixed on 16.04.2015 at 11.00 a.m. and even three days prior to that, the impugned order came to be passed on 13.04.2015 and hence on that sole ground it warrants interference. Accordingly, he prayed for passing appropriate orders.

4. Per contra, learned Additional Government Pleader appearing for the respondent would submit that the matter may be remanded to the respondent for fresh consideration and adjudication.

5. This Court, after considering the rival submissions of the learned counsel, is of the view, that the impugned order, dated 13.04.2015, passed by the respondent, warrants interference and it has to be remanded for fresh adjudication.

6. In the result, the Writ Petition is allowed in part, setting aside the impugned order, dated 13.04.2015, and remanding the matter to the respondent for fresh consideration and adjudication in accordance with law and to pass orders within a period of four weeks from the date of receipt of a copy of this order, after putting the persons concerned on notice, and communicate the decision taken thereon to the petitioner as well as the persons concerned. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dixit

To
The Tahsildar,
Tahsildar Office,
Tiruttani Taluk - 631 209,
Tiruvallur District.

+1cc to Mr.G. Karthikeyan, Advocate, S.R.No.29501

+1cc to the Government Pleader, S.R.No.29267

KU(CO)
EU(30/06/2015)

W.P.Nos.16809/2015