

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.18085 of 2015

Muthusamy

... Petitioner

Vs.

- 1 The District Collector
Namakkal District
- 2 The Revenue Division Officer
Tiruchengode Revenue Division
Tiruchengode
Namakkal District
- 3 The Tahsildar
Tiruchengode Taluk Tiruchengode
Namakkal
District

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider petitioner representation dated 8.5.2015 and consequently include petitioner name in the patta No.226 for the property situated in SF. No.271/10B to an extent of undivided share of 70 cents in Kumarapalayam Ammani Village, Tiruchengode Taluk, Namakkal District.

For Petitioner : Mr.Ma.P.Thangavel

For Respondents: Mr.R.Vijayakumar

Additional Government Pleader

ORDER

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

2.The petitioner would state that he along with his son filed O.S.No.285 of 2013 on the file of the Principal District Munsif Court, Thiruchengode praying for declaration of title and further to declare that the rectification dated 03.01.2008 in respect of the sale deed dated 21.01.1994 is null and void and not enforceable against (i)Kaliyappa Gounder (ii)Hi Tech Wheeling Park and (iii) Nine Mani @ K.Ramasamy. The said suit after contest was decreed on

16.06.2014. No further challenge has been made to the said decree. Thereafter, the petitioner through his Lawyer sent a notice to the respondents praying for inclusion of his name in Ammani Village patta no.226 and the first respondent has received the same in O.Mu.16081/2014 (01) dated 17.08.2014 with copy marked to the third respondent to take appropriate action and inform the decision taken to the petitioner and in spite of that, the petitioner has not been favoured with any response and hence, came forward to file this writ petition.

3. Heard the submissions of Mr.Ma.P.Thangavel, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4. This Court taking into consideration the facts and circumstances and without going into the merits of the claim projected by the petitioner directs the second respondent to consider and dispose of the petitioner's representation dated 08.05.2015 in accordance with law after putting on notice, the persons concerned and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the persons concerned.

5. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pri
To

- 1 The District Collector
Namakkal District
- 2 The Revenue Division Officer
Tiruchengode Revenue Division Tiruchengode
Namakkal District
- 3 The Tahsildar
Tiruchengode Taluk Tiruchengode Namakkal
District

+1cc to Mr.Ma.P. Thangavel, Advocate, S.R.No.31003
+1cc to the Government Pleader, S.R.No.31298

SR(CO)
EU(08/07/2015)

W.P.No.18085 of 2015