

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.241 of 2014

1 D.A.DAMODARAN [PETITIONERS]
2 D.A.RAVICHANDRAN
3 D.A.VIJAYAKUMAR
4 D.A.BASKAR
5 D.A.NANDAKUMAR
6 D.A.SURESH
7 A.GOWRIBAI

Vs

1 THE REVENUE DIVISIONAL OFFICER
THE OFFICE OF RDO AMBATTUR AMBATTUR
AMBATTUR TALUK THIRUVALLUR DIST.
2 THE TAHSILDAR
THE OFFICE OF TAHSILDAR AMBATTUR AMBATTUR
TALUK THIRUVALLUR DIST.
3 G.RAJGOPALAN
4 R.SRIRAM
5 MRS.G.SEENIAMMAL [RESPONDENTS]

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to dispose of the representation dated 1.3.2013 given by the second petitioner and to cancel the patta wrongly issued in the names of Mr.Rajagopal Mr.Sriram and Mrs. Seeniammal and to issue a fresh patta in the name of this petitioners.

For Petitioners : Mr.R.Karthikeyan
For Respondents : Ms.P.Rajalakshmi, GA (R1-2)
Mr.R.Karthikeyan (R3 to 5)

ORDER

Heard Mr.R.Karthikeyan, learned counsel for the petitioners, Ms.P.Rajalakshmi, learned Government Advocate appearing on behalf of the respondents 1 and 2 and Mr.R.Karthikeyan, learned counsel for

respondents 3 to 5 and with their consent, the writ petition itself is taken up for disposal.

2. The petitioners seeks for a direction upon the 1st respondent to dispose of the representation dated 1.3.2013 given by the second petitioner and to cancel the patta wrongly issued in the names of Mr.Rajagopal, Mr.Sriram and Mrs. Seeniammal and to issue a fresh patta in the name of this petitioners.

3. It is seen that the 2nd petitioner's representation was forwarded by the Revenue Divisional Officer to the Tahsildar, Ambattur vide proceedings dated 13.03.2013 to conduct an enquiry. Since there is a stalemate in the matter, the petitioners have approached this Court.

4. Since the matter is now pending before the authority, there will be a directing to the 2nd respondent to consider the second petitioner's representation dated 01.03.2013 and pass orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioners as well as respondents 3 to 5, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that in the event there is any dispute as regards the title of the property, then it goes without saying that the Tahsildar cannot adjudicate the property.

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

s/d-
Assistant Registrar(R)
Dt:18/3/2015

True Copy

Sub-Assistant Registrar

To

1 THE REVENUE DIVISIONAL OFFICER
THE OFFICE OF RDO AMBATTUR AMBATTUR
AMBATTUR TALUK THIRUVALLUR DIST.

2 THE TAHSILDAR
THE OFFICE OF TAHSILDAR AMBATTUR AMBATTUR
TALUK THIRUVALLUR DIST.

+ 1 cc to Mr.Deevikeerajan, Advocate, SR 11797

+ 1 cc to M/s.R.Karthikeyan, Advocate SR 11642

rk(co)
prk20/3

WP.No.241 of 2014



सत्यमेव जयते

WEB COPY