

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WP.No.19480/2015

M.Chinnasamy

...Petitioner

Versus

1. The District Collector
Dharmapuri District,
Dharmapuri.

2. The Tahsildar
Dharmapuri Taluk,
Dharmapuri.

3. Jadaiyan

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd respondent to issue a separate patta in favour of the petitioner family in respect of the land comprised in Old Survey No.622 and New Survey No.623/1, 623/4 and 623/5 situate at Thalavai Halli Village, Dharmapuri Taluk and District to an extent of 32 ½ cents out of 2.60 acres based on the representation of the petitioner on 01.06.2015.

For Petitioner : Mr.C.Prabakaran

For RR 1 and 2 : Mr.R.Govindasamy, AGP

ORDER

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

2. The petitioner would state that his father [Late]Muniyappan possessed 12.60 acres comprised in Survey No.622 situate at Thalavai Halli village, Dharmapuri Taluk and District and he has sold a part

of the said property admeasuring to an extent of 2.27 ½ acres in favour of the three sons of Sella Gounder by means of a registered Sale Deed dated 01.12.1960 vide Document No.4855/1960 on the file of the Joint Sub Registrar, Dharmapuri. The petitioner would further state that his father had retained 32 ½ cents of the said property.

3. It is the case of the petitioner that eking out their livelihood, the petitioner and his family had gone to Bangalore and taking advantage of the same, the 3rd respondent is taking steps to alter the revenue records and trying to grab the property and was successful in his attempt by mutating in his name under UDR scheme and trying to disturb the peaceful possession and enjoyment of the petitioner's land. The petitioner, in this regard, has submitted a representation dated 01.06.2015 to the 2nd respondent and though it was acknowledged, he has not been favoured with any response and hence, he has come forward to file this writ petition.

4. Heard the learned counsel for the petitioner and Mr.R.Govindasamy, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 and 2.

5. Though the petitioner prayed for a larger relief, this Court, taking into consideration, the facts and circumstances of the case and without going into the merits of the said representation, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 01.06.2015 in accordance with law, after putting on notice the 3rd respondent and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the 3rd respondent herein.

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

Sd/-

Assistant Registrar (CS-III)

सत्यमेव जयते

//True Copy//

Sub Assistant Registrar

AP

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To

1. The District Collector
Dharmapuri District, Dharmapuri.
2. The Tahsildar
Dharmapuri Taluk, Dharmapuri.

1 CC to the Government Pleader, SR.No. 33629

WP.No.19480/2015

PPA (CO)
PSI (15.07.2015)



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