

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.19679 of 2015

S.Manohar

... Petitioner

Vs.

1 The Revenue Divisional
Officer Salem District Salem

2 The Tahsildar
Salem Taluk Salem

3 The Commissioner
Corporation of Salem Salem

4 Ashok Kumar

5 Jaikumar

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent herein to consider the petitioners appeal/representation dated 30.3.2015 and pass orders on merits and in accordance with law with regard to transfer of patta by making necessary entries in TSLR Extract in respect of property bearing Old S.No.186 Ward A Block 12 S.No.37 now T.S.No.74 & 75 Ward H Block 30 of an extent of 11415 sq.ft. in Hasthampatty Village, Salem Taluk and District in favour of the petitioner within a reasonable time framed by this Honourable court.

For Petitioner : Mr.R.Thamaraiselvan

For Respondents: Mr.M.Digvijaya Pandian for R1 and R2

Additional Government Pleader

Ms.K.Bhuvaneswar for R3

O R D E R

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

2.The petitioner would state that by virtue of registered partition deed dated 09.08.2011 (document no.3092 / 2011) registered on the file of the Sub-Registration office, Salem West Joint-III, admeasuring to an extent of 11415 sq.ft., in Old S.No.186, Ward - A, Block - 12, S.No.37 now T.S.No.74 & 75 Ward - H, Block 30 in

Hasthampatti Village, Salem Taluk, Salem District were divided among the family members and they are in possession and enjoyment of the same for more than 50 years. Petitioner would further state that, to the shock and surprise the TSLR Extract stands in the name of late Mr.Balasubramani, s/o. Krishnamoorthy and late Tmt.Meenakshi Ammal, w/o. Chidambaram and taking advantage of the same their legal heirs are making efforts to deal with the above said property illegally. The Petitioner submitted a representation dated 29.01.2013 seeking information under the RTI Act with regard to the said mistake or discrepancy and also requested them to cancel the wrong entry made in the patta in favour of the deceased Mr.Balasubramani and Tmt.Meenakshi Ammal and the office of the third respondent has sent a reply by directing the petitioner to approach the first respondent and accordingly, the petitioner approached the first respondent in the form of representation dated 30.03.2015. Though it was received and acknowledged, he has not been favoured with any kind of response and hence came forward to file this writ petition.

3.Heard the submissions of Mr.R.Thamaraiselvan, learned counsel appearing for the petitioner, Mr.M.Digvijaya Pandian, learned Additional Government Pleader who accepts notice for the respondents 1 and 2 and Ms.K.Bhuvaneshwar, learned counsel who accepts notice for the third respondent.

4.This Court without going into the merits of the representation submitted by the petitioner directs the first respondent to consider and dispose of the petitioner's representation dated 30.03.2015 in accordance with law after putting on notice the respondents 4 and 5 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 the respondents 4 and 5.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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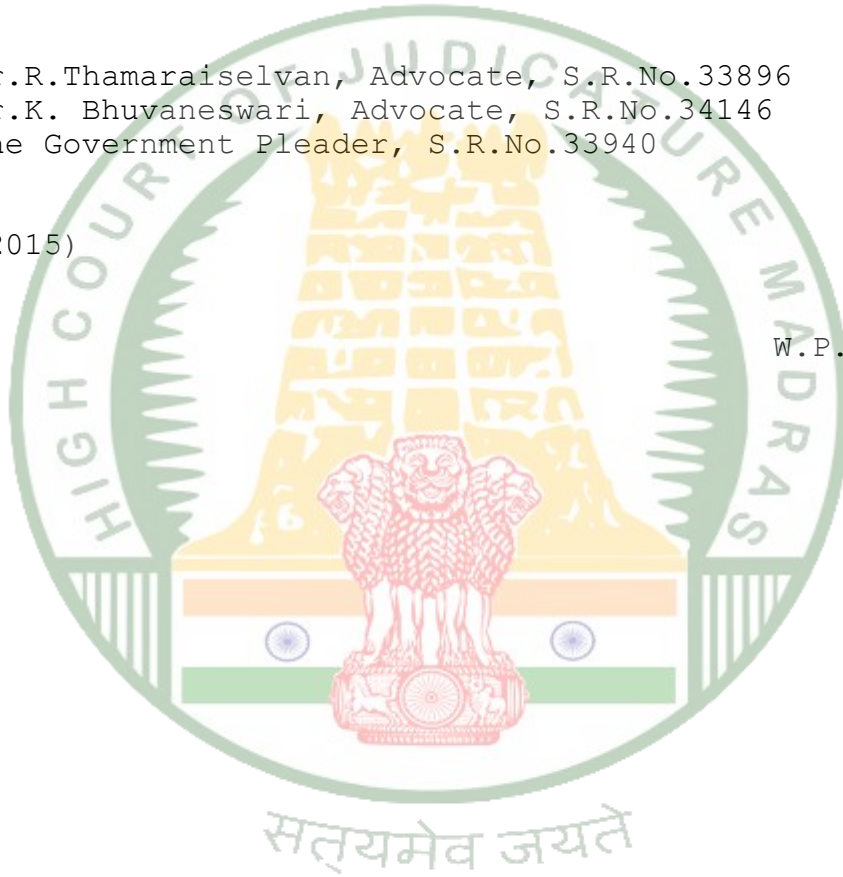
To

- 1 The Revenue Divisional
Officer Salem District Salem
- 2 The Tahsildar
Salem Taluk Salem
- 3 The Commissioner
Corporation of Salem Salem.

+1cc to Mr.R.Thamaraiselvan, Advocate, S.R.No.33896
+1cc to Mr.K. Bhuvaneswari, Advocate, S.R.No.34146
+1cc to the Government Pleader, S.R.No.33940

AD(CO)
EU(15/07/2015)

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