

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.24599 of 2015

T.S.Senthil

..Petitioner

/vs/

1.The District Revenue Officer,
Dharmapuri District,
Dharmapuri.

2.The Sub Collector,
Dharmapuri.

3.The Tahsildar,
Palakode Taluk Office.

4.Ganesan

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 07.06.2015 for cancellation of patta No.1142 issued in favour of the 4th respondent in respect of Survey Nos.222/1 (0.45.50 hectares) and 238 (1.41.00 hectares) in Thandukkaranhalli Village, Palakode Taluk, Dharmapuri District and issue joint patta in the name of the petitioner and the 4th respondent within the time to be stipulated by this Court.

For Petitioner :Mr. R.Bharath Kumar

For Respondents :Mr.Digvijaypandian for R1 to R3

ORDER

It is case of the petitioner that patta in S.Nos.222/1 and 238 has been wrongly issued in favour of the fourth respondent in the year 2004 excluding the name of the petitioner. Thereafter, the petitioner's father made a representation to the third respondent on 29.01.2004. Pending representation, patta has been issued in favour of the fourth respondent. After that, the petitioner made a representation before the first respondent on 07.06.2015 for cancellation of above said patta issued in favour of the fourth respondent and to issue joint patta in the name of the petitioner and the fourth respondent. It is further case of the petitioner that the land situated in Survey Nos.222/1 and 238 in Thandukkaranhalli

Village, Palakode Taluk, Dharmapuri District is joint family properties. Therefore, claiming for issuance of joint patta in the name of the petitioner along with the fourth respondent, the present petition has been filed.

2.Taking into consideration the pendency of the said representation dated 07.06.2015 before the first respondent, without going into the merits of the case, this Writ Petition is disposed of, with a direction to the first respondent to pass appropriate orders on the said representation of the petitioner dated 07.06.2015, on merits and in accordance with law, after giving an opportunity of hearing to the petitioner and other parties, if any aggrieved, within a period of eight weeks from the date of receipt of a copy of this order or within a period of eight weeks from the date of production of a copy of this order by the petitioner enclosing the copy of the said representation. No costs. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1.The District Revenue Officer,
Dharmapuri District,
Dharmapuri.

2.The Sub Collector,
Dharmapuri.

3.The Tahsildar,
Palakode Taluk Office.

1 cc to Mr.R.Bharath Kumar , Advocate Sr.No.41707

1 cc to Government Pleader.Sr.No.41602

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pmk.26.8.2015

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