

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.30394 of 2013

V.Venkatraman

.. Petitioner

Vs.

1. The District Collector
Office of the District Collector
Namakkal District.

2. The Tahsildar
Office of the Thasildhar
Namakkal District.

3. Mookan ..Respondents
(R3 impleaded as per order
dated 22/11/2013 by KKSJ
in MP.1/2013 in WP.30394/13)

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the respondents to consider and dispose of the petitioner's representation dated 21.5.2013 and consequently direct the respondents to change the name in patta and issue patta in favour of the petitioner, namely Veerammal and 3 sisters namely(1) Dhanalakshmi (2) Chandra (3) Shantha.

For Petitioner : Mr.E.D.Sethupathi

For Respondents : Mr.R.Vijayakumar - R1 & R2
Addl. Govt. Pleader

Dr.G.Krishnamurthy - R3

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Heard Mr.E.D.Sethupathi, learned Counsel appearing for the petitioner, and Mr.R.Vijayakumar, learned Additional Government Pleader for the respondents 1 & 2 and Dr.G.Krishnamurthy, learned counsel for third respondent.

3.The petitioner seeks for issuance of a writ of mandamus to direct the respondents to consider and dispose of the petitioner's representation dated 21.5.2013 and consequently direct the respondents to change the name in patta and issue patta in favour of the petitioner, namely Veerammal and 3 sisters namely(1) Dhanalakshmi (2) Chandra (3) Shantha.

4.It is seen that the petitioner's application for change of patta has been directed to be considered by the second respondent by the Sub Collector vide proceedings dated 21.05.2013.

5.The petitioner would state that the third respondent has no right over the property.

6.On the other hand, the third respondent would state that the petitioner's claim is wholly unsustainable and there are several documents in his hand to prove the title and possession.

7.In any event, the petitioner's representation dated 21.5.2013, is now pending before the second respondent for changing the name in patta. Hence, the second respondent is directed to consider the petitioner's representation dated 21.5.2013, after issuing notice to the petitioner as well as to third respondent and after affording an opportunity of personal hearing, in which both parties can produce oral and documentary evidence and pass appropriate orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. No costs.

rpa

-s/d-
Assistant Registrar(LA)
Dt:16/2/2015

True Copy

Sub-Assistant Registrar

To

1. The District Collector
Office of the District Collector
Namakkal District.

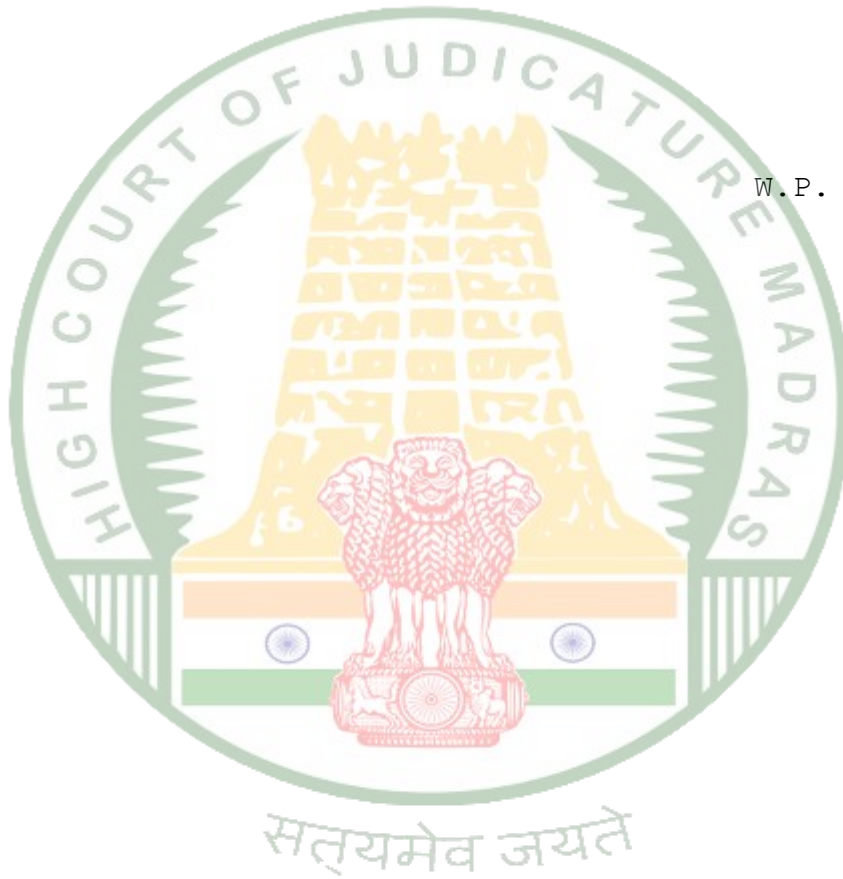
2. The Tahsildar
Office of the Thasildhar
Namakkal District.

+ 1 cc to M/s.E.D.Sethupathi, Advocate SR 6572

+ 1 cc to Govt.Pleader SR 6694

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