

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.2870 of 2014

L.Narayanan
S/o.Lakshmana Udayar

...Petitioner

vs.

1. The District Collector,
Villupuram District,
Villupuram.
2. The Tahsildar,
Kallakurichi Taluk,
Kallakurichi, P.O.,
Villupuram District.
3. The Revenue Divisional Officer,
Kallakurichi Taluk,
Kallakurichi,
Villupuram District.
4. The District Revenue Officer,
Villupuram District,
Villupuram.
5. The State represented by
The Commissioner for Land Administration,
Chepauk, Chennai - 5.
6. Muruvaiammal
D/o.Kandasamy Udayar
7. Dhanalakshmi
D/o.Muruvai Ammal

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8. Ethiraj Udayar
S/o.Ramasamy Udayar

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 5 to consider the petitioner's representation dated 12.07.2013 and to pass orders on his representation within a time frame.

For Petitioner : Mr.A.Malath Devapriyam

For Respondents : Mr.R.Vijayakumar,
Additional Government Pleader
[R1 to R5]
Mr.R.Meenal [R6 to R8]

O R D E R

Heard Mr.A.Malath Devapriyam, learned counsel for petitioner, Mr.R.Vijayakumar, learned Additional Government Pleader for respondents 1 to 5 and Mr.R.Meenal, learned counsel for respondents 6 to 8.

2. Petitioner seeks a direction to the respondents 1 to 5 to consider the petitioner's representation dated 12.07.2013.

3. According to the petitioner, patta granted to respondents 6 to 8 in respect of property situated at Survey No.199/1, Kallakurichi Circle, Velakurichi Village, is erroneous and therefore, he requested for cancellation of patta. Even prior to the proceedings initiated before the Tahsildar, Kallakurichi, during 2005, the petitioner has filed a suit in O.S.No.1216 of 2004 on the file of learned District Munsif, Kallakurichi and the same is pending.

4. Learned counsel for respondents 6 to 8 submits that such respondents have already filed written statement to the suit and the suit is for declaration of title and consequential relief.

5. In the light of the above, no useful purpose would be served by directing the second respondent to consider the representation of the petitioner since the petitioner has already filed a civil suit for declaration of title and consequential relief before the civil court. Hence, this Court while declining to grant the relief as sought for in this petition, grants liberty to the petitioner to seek

for early disposal of the O.S.No.1216 of 2004 before the trial Court by filing appropriate application and if there is no other impediment, the trial Court is requested to consider the request made by the petitioner in accordance with law.

This Writ Petition is dismissed with the above observation. No costs.

Sd/-
Assistant Registrar(LA)

//True Copy//

Sub Assistant Registrar

gm

To

1. The District Collector,
Villupuram District, Villupuram.
2. The Tahsildar,
Kallakurichi Taluk,
Kallakurichi, P.O., Villupuram District.
3. The Revenue Divisional Officer,
Kallakurichi Taluk,
Kallkurichi, Villupuram District.
4. The District Revenue Officer,
Villupuram District, Villupuram.
5. The Commissioner for Land Administration,
Chepauk, Chennai - 5.

1 CC to Mr.A.Malath Devapriyam, Advocate SR.No. 15450

1 CC to Mr.R.Meenal, Advocate SR.No. 15463

1 CC to Government Advocate

W.P.No.2870 of 2014

LRS (CO)
PSI (16.04.2015)