

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.NO.29080 OF 2014

V.Madhan

.. Petitioner

Vs

1. The Tahsildar,
Ponneri Taluk,
Thiruvellore District.

2. Miss.Priya Krishnan
3. Miss.Aswini Krishnan

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the first respondent to conduct a fresh enquiry on the basis of his representation dated 08.08.2014.

For Petitioner : Mr.S.Udhayakumar

For Respondents: Mr.R.Vijayakumar,
Additional Govt. Pleader for R1
Mr.J.Jayabalan for RR 2 and 3

O R D E R

Heard Mr.S.Udhayakumar, learned counsel appearing for the petitioner, Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the first respondent and Mr.J.Jayabalan, learned counsel appearing for the respondents 2 and 3.

2. The petitioner seeks for a direction upon the first respondent to consider his representation dated 08.08.2014.

3. According to the petitioner, the patta granted in his favour has been cancelled and transferred in the names of the respondents 2 and 3 without notice to him.

4. It appears that the second respondent approached this Court earlier and filed W.P.No.11245 of 2013 praying for a direction to the respondents therein to consider her representation seeking change of patta. In the said writ petition, the petitioner herein,

who was the pattadar, was not impleaded as respondent. The writ petition was disposed of on 23.04.2013. However, this Court directed that the representation should be considered by the Tahsildar, Ponneri, after hearing the petitioner therein and others. The 'others' would include the petitioner herein, because the patta stood in the name of the writ petitioner herein as on that date. Hence, it is necessary to direct the first respondent to conduct a fresh enquiry into the matter.

5. In the light of the above facts, there will be a direction to the first respondent to conduct fresh enquiry on the basis of the petitioner's representation dated 08.08.2014, and pass appropriate orders on merits and in accordance with law, after issuing notice to the petitioner as well as the respondents 2 and 3 and affording them an opportunity of personal hearing, within a period of six weeks from the date of receipt of a copy of this order. Both the petitioner and the respondents 2 and 3 are entitled to place all their submissions before the first respondent. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

The Tahsildar,
Ponneri Taluk,
Thiruvellore District.

+ 1 cc to Mr.J. Jayabalan, Advocate SR.13995

+ 1 cc Government Pleader Sr.14184

KK(CO)

EU 23.03.2015

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