

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:04.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.NO.29768 of 2014

M. Govindan

..

Petitioner

Vs

1. The District Collector,
Office of Collectorate,
Vellore District.
2. The Revenue Divisional Officer,
Vellore Collectorate,
Vellore District.
3. The Tahsildar,
Ambur Taluk,
Vellore District.
4. R. Venkatesan
5. Nalayini
6. R.Moorthy
7. R.Srinivasan
8. R.Ashokan
9. R. Mageswari

.. Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus to direct the 3rd respondent to consider the petitioner's representation dated 02.09.2014 in accordance with law .

For Petitioner : Mr. A.Prabhakaran

For Respondents: Mr. V. Jayakprakash Narayanan
Special Govt. Pleader (R1 to R3)
Mr.M.Venkatakrishnan (R4 to R9)

ORDER

Petitioner seeks for issuance of Writ of Mandamus to direct the 3rd respondent to consider the petitioner's representation dated 02.09.2014 in accordance with law .

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3 and learned counsel appearing for the respondents 4 to 9 and perused the materials available on record.

3. Admittedly, the question to title pertaining to the property in question is pending adjudication before the Civil forum and suits are pending in O.S.No.17 of 2008 and O.S.No.87 of 2008 on the file of the District Munsif Court, Ambur.

4. It is stated that suits that were filed before the Civil Court in O.S.No.17 of 2008 and 87 of 2007 on the file of District Munsif Court, Ambur were decreed by judgment and decree dated 4.8.2014, whereby, title of the respondents 4 to 9 has been declared by the Court, as against which, the petitioner has preferred appeals before the lower appellate court namely Subordinate Court, Vaniyambadi in A.S.No.32 of 2014 and A.S.No.33 of 2014 respectively and the same is pending.

5. Therefore, unless and until petitioner succeeds in appeal, petitioner cannot seek for grant of patta and therefore the relief sought for in this writ petition cannot be granted at this juncture.

6. Therefore, the writ petition is dismissed, However, this will not stand in the way of petitioner to re-agitate his claim in the event, he succeeds before the civil court. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

msr

To

1. The District Collector,
Office of Collectorate,
Vellore District.

2. The Revenue Divisional Officer,
Vellore Collectorate,
Vellore District.

3. The Tahsildar,
Ambur Taluk, Vellore District.

1 cc to Mr.A. Prabhakaran, Advocate, sr. 5699

1` cc to mr.m. Venkatakrishnan, advocate, sr. 5774

1 cc to Government Pleader, Sr. 5797

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VSN (CO)

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