

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.03.2015

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.5647 of 2015

M.Shankar

[Petitioner]

Vs

- 1 The Tahsildar
Office of the Tahsildar Kinathukadavu
Coimbatore District.
- 2 The Assistant Zonal Tahsildar
Office of the Tahsildar Kinathukadavu
Coimbatore District.
- 3 The Village Administrative
Officer Pottaiyandipurambu Village
Kinathukadavu Taluk Coimbatore District.

[Respondents]

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondent to consider the representation of the petitioner dated 02.01.2015 seeking to include the petitioner name together with the petitioners brother and sister.

For Petitioner : Mr.T.Shanmugam
For Respondents : Mr.M.L.Mahendran, GA

ORDER

Heard Mr.T.Shanmugam, learned counsel for the petitioner and Mr.M.L.Mahendran, learned Government Advocate accepting notice on behalf of the respondents and with their consent, the writ petition is taken up for disposal.

2. The petitioner seeks for issuance of a direction upon the respondents to include his name along with his brother and sister and issue joint patta.

3. According to the petitioner, all the three of them are

entitled to joint patta in respect of the land in question. In this regard, a representation has been given by the petitioner to the 1st respondent on 02.01.2015 and since no order has been passed, the petitioner has approached this Court by way of this writ petition.

4. As rightly pointed out by the learned Government Advocate, there is no proof to show that the petitioner's representation was received by the 1st respondent. That apart, the petitioner's brother and sister have not been impleaded as respondents in this writ petition nor the petitioner has produced consent letters from his brother and sister. Therefore, no direction as sought for in this writ petition can be granted at this juncture. However, liberty is granted to the petitioner to submit a fresh representation to the 1st respondent enclosing the consent letters from his brother and sister and on receipt of such representation, the 1st respondent shall consider the same, issue notice to the petitioner as well as his brother and sister, conduct enquiry and pass orders on merits and in accordance with law as expeditiously as possible.

With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1 The Tahsildar
Office of the Tahsildar Kinathukadavu
Coimbatore District.
- 2 The Assistant Zonal Tahsildar
Office of the Tahsildar Kinathukadavu
Coimbatore District.
- 3 The Village Administrative
Officer Pottaiyandipurambu Village
Kinathukadavu Taluk Coimbatore District.

- 1 cc to Government Pleader, Sr.No11839/15
- 2 cc to Mr. T.Shanmugam, Advocate, SR.No.11931, 11961

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ca (co) pmk.20.3.2015