

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.NO.5809 OF 2015

S. Somasundaram

.. Petitioner

Versus

1. The Revenue Divisional Officer,
Perundurai,
Erode District.

2. The Tahsildar,
Perundurai,
Erode District.

3. The Surveyor,
Sennimalai,
Erode District.

.. Respondents

* * *

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the respondents to consider the petitioner's representations dated 04.10.2011 consequently direct the 2nd respondent to issue patta with respect to their property bearing S.Nos.478/2 Patta No.1581, Murungaitholuve Village, Perundurai Taluk, Erode District in favour of them.

* * *

For Petitioner : Mr. N. Subramani

For Respondents: Ms.P.Rajalakshmi
Government Advocate

O R D E R

Heard Mr. N.Subramani, learned counsel appearing for the petitioner and Ms.P.Rajalakshmi, learned Government Advocate, who accepts notice, for the respondents.

2. With the consent of either side, the writ petition itself is taken up for disposal.

3. The petitioner seeks for a direction upon the respondents to consider his representation dated 04.10.2011 and to

direct the second respondent to issue patta with respect to their property bearing S.Nos.478/2 Patta No.1581, Murungaitholuvu Village, Perundurai Taluk, Erode District in favour of them.

4. According to the petitioner, the property in question stands in the name of his father and his father's brothers Thiru.Kuppan, Arulappan, Selvan. It is stated that the petitioner's father died in the year 1964 leaving behind the legal heirs of the property including the petitioner. The petitioner and his sister have now submitted an application to the respondents 2 and 3 to survey the property and issue patta in their name. It is seen that though the petitioner states that the other joint pattadars are the brothers of his father, those persons have not been impleaded as respondents in the writ petition.

5. That apart, the other legal heir of the petitioner's father Late.Sathyavasagam are also not impleaded in this writ petition. Hence the merits of the contentions raised by the petitioner cannot be gone into in this writ petition. However, it is seen that a representation dated 04.10.2011 is pending in this regard before the authorities.

6. In the light of the above, without going to the merits of the representation, there will be direction to the second respondent to consider the petitioner's representation dated 04.10.2011 and pass appropriate orders on merits and in accordance with law, after issuing notice to all the parties concerned, as expeditiously as possible.

7. With the above direction, this writ petition is disposed off. No costs.

Sd/-

Assistant Registrar

Dated:13.3.15

True Copy

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Perundurai,
Erode District.

2. The Tahsildar,
Perundurai,
Erode District.

3. The Surveyor,
Sennimalai,
Erode District.

+1 cc to Government Pleader, SR.12152.

+1 cc to Mr.N.Subramani, Advocate, SR.11926.

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krd 16/3

ORDER IN
W.P.NO.5809 OF 2015



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