

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7236 of 2015

G.Subramaniyan

..

Petitioner

Versus

1.The District Collector
Villupuram District
Villupruam

2.The Revenue Divisional Officer
Kallakurichi Division
Kallakurichi
Villupuram District

3.The Tahsildar
Sankarapuram Taluk Office
Sankarapuram
Villupuram District

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS directing the 3rd respondent namely The Tahsildar, Sankarapuram Taluk Office, Sankarapuram, Villupuram District to consider and pass orders on the representation submitted by the petitioner dated 25.02.2015.

For Petitioner : Mr.A.G.Rajan

For Respondents: Mr.R.Vijayakumar, Addl. Govt. Pleader

ORDER

Heard Mr.A.G.Rajan, learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing on behalf of the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2. The petitioner has filed this writ petition praying for a direction to the 3rd respondent to consider his representation dated 25.02.2015.

3. In the said representation, the petitioner has sought not to grant patta in favour of one Anbazhagan, S/o.Krishna Naicker, in respect of property in Survey No.196/8, without conducting proper enquiry.

4. According to the petitioner, the location of the land purchased by Anbazhagan is different and further according to him, the said Anbazhagan filed a writ petition before this court in W.P.No.31264 of 2013 and a direction was issued by this court on 21.11.2013 to consider his representation. The apprehension of the petitioner is that the Tahsildar, without proper enquiry and without hearing the petitioner, will grant patta in favour of Anbazhagan.

5. Though the petitioner has made certain allegations/averments against Anbazhagan, he has not been made as a party. Further, it is seen that, even in the representation dated 25.02.2015, the petitioner has requested the 3rd respondent to summon Anbazhagan as well as him to conduct enquiry, pursue the documents, which both parties produce and then take a decision.

4. In the light of the above, there will be a direction to the 3rd respondent to consider the petitioner's representation, issue notice to the petitioner and Anbazhagan, S/o.Krishna Naicker, hear the parties in person, consider the documents which they produce and thereafter, pass orders in accordance with law, as expeditiously as possible, within a period of three months from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar
Dated:23.3.15

True Copy

सत्यमेव जयते
Sub Assistant Registrar

To

1.The District Collector
Villupuram District
Villupuram

2.The Revenue Divisional Officer
Kallakurichi Division
Kallakurichi
Villupuram District

3.The Tahsildar
Sankarapuram Taluk Office
Sankarapuram
Villupuram District

+1 cc to Government Pleader,SR.14767

+1 cc to Mr.A.G.Rajan,Advocate,sR.14596.

lrs(co)
krd 26/3

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