

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.03.2015

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7653 of 2015

M.Vijaya Ragunathan
]

[Petitioner

Vs

1 The Commissioner
Land Administration Near Chepauk Stadium
Chepauk Chennai-600 005.

2 The District Revenue Officer
Collectorate Pudukottai.

3 K.Thangarajan

[Respondents]

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the first and second respondent to issue notice and send all communications to the petitioner in the enquiry relating to grant of patta on the third respondents application relating to the forest land comprised in S.No.139/6 of Senthankudi Village Pattukottai Taluk (now Alankudi Taluk) Pudukottai District measuring 49 acres vide File No. E2/13292/2007 pending on the file of the second respondent enabling the petitioner also heard before passing any orders in the matter on the petitioners representations dated 10.06.2014 and 22.08.2014.

For Petitioner : Mr.R.Manickavel

For Respondents: Mr.S.Gunasekaran,GA (R1-2)

ORDER

Heard the learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate, who took notice for the respondents 1 and 2 and with their consent, the main writ petition is taken up for disposal at the admission stage.

2. The petitioner has filed this writ petition, praying for a direction to the 2nd respondent to send all communications to the petitioner with regard to the claim made by the 3rd respondent for grant of patta in respect of the lands in question.

3. The petitioner would state that the 3rd respondent is his maternal uncle and he has made a claim for forest land measuring 49 acres in Survey No.139/6 of Senthankudi Village, Alankudi Taluk, Pudukottai District under the Tamil Nadu Estates (Abolition and Conversion Into Ryotwari) Act and applied for patta, claiming to be the sole legal heir of Nagaram Jaminthar. The petitioner would state that his mother is also a member of Jamin and he is also one of the legal heirs. Therefore, it is stated that if any application is made by the 3rd respondent, the petitioner should also be issued notice and he should also be heard in the matter.

4. From the reply given under the RTI Act dated 28.07.2014 by the District Collector, it is seen that papers are now pending with the 2nd respondent and the matter is under consideration.

5. In the light of the above, without going into the merits of the contentions raised by the petitioner, there will be a direction to the 2nd respondent to consider the petitioner's representation dated 22.08.2014, after hearing the petitioner in person or through his authorised representative as well as the 3rd respondent, pass orders on merits and in accordance with law. While passing such order, if the 2nd respondent is satisfied that the petitioner is a proper and necessary party, then, the petitioner should also be sent all the proceedings before any orders are passed in the application made by the 3rd respondent.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1 The Commissioner
Land Administration Near Chepauk Stadium
Chepauk Chennai-600 005.

2 The District Revenue Officer
Collectorate Pudukottai.

+ 1 cc to Mr.R.Manickavel Advocate SR.15260
+ 1 cc Government Pleader Sr.15609

RJ(CO)
EU 30.03.2015

W.P.No.7653 of 2015