

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.NO.9146 OF 2015

M.D.Govindarajan

.. Petitioner

Vs

1. The Revenue Divisional Officer,
Thirutani, Thiruvallur District.

2. The Tahsildar,
Pallipatu Taluk,
Thiruvallur District.

.. Respondent

* * *

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the first respondent to consider the representation given by the petitioner on 16.02.2015 to transfer the patta in the name of the petitioner in respect of Survey No.73/1, Pallipattu Village, with an extent of 1 acre 60 cents.

* * *

For Petitioner : Mr.D.Rajagopal

For Respondents: Mr.V.Jayaprakash Narayanan,
Special Govt. Pleader

O R D E R

Heard Mr.D.Rajagopal, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents. With the consent of both sides, the writ petition itself is taken up for final disposal.

2. The petitioner seeks for a direction upon the first respondent to consider his representation dated 16.02.2015 to transfer the patta in his name respect of Survey No.73/1, Pallipattu Village, with an extent of 1 acre 60 cents.

3. According to the petitioner, his father purchased the property in the year 1963 and he was in possession and enjoyment of the same. The patta was also granted in favour of this father and they were cultivating the land. After the demise of this father, the patta was transferred in the name of one Anandhacharri. The petitioner would state that Anandhacharri has plotted out the

property and sold it to different persons. When they attempted to take possession of the property in the year 2000, the petitioner came to know about this fact. Therefore, he made representations to the second respondent to cancel the patta and transfer the same in his name. The petitioner submitted a representation on 16.02.2015 to the first respondent. Since there is no response, he is before this Court with this petition.

4. The said Anandhacharri is no more and he died in the year 2005 and hence, the merits of the claim made by the petitioner cannot be gone into in this writ petition. In the light of the above, without going into the merits of the claim of the petitioner, there will be a direction to the first respondent to consider the petitioner's representation dated 16.02.2015 and pass appropriate orders, after giving an opportunity of personal hearing to the petitioner as well as the other concerned parties, on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Thirutani, Thiruvallur District.
2. The Tahsildar,
Pallipatu Taluk,
Thiruvallur District.

+1 cc to Mr.D.Rajagopal, Counsel for Petitioner, SR.18481

+1 cc to Government Pleader, SR.17935.

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ORDER IN
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