



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.(MD) No.18714 of 2015

T.Malaisamy

... Petitioner

-vs-

1.The Revenue Divisional Officer
O/o.The Revenue Divisional Officer
Sivaganga, Sivaganga District

2.The Tahsildar
Manamadurai Taluk Office
Manamadurai Post
Sivaganga District

3.The Tahsildar
Thiruppuvanam Taluk Office
Thiruppuvanam Post
Sivaganga District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's appeal, dated 30.07.2012 and reminder, dated 13.08.2012, under Tamil Nadu Patta Pass Book Act.

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.M.Murugan, G.A.

O R D E R

Mr.M.Murugan, learned Government Advocate, takes notice for the respondents. With the consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.

2. The prayer in the writ petition is for issuance of a writ of mandamus to direct the first respondent to consider the petitioner's representation, dated 30.07.2012 and reminder, dated 13.08.2012, submitted under Tamil Nadu Patta Pass Book Act.

3. According to the petitioner, the property comprised in Survey No.62/8 of Manalur Village, Manamadurai Taluk, Sivaganga District, originally belonged to his father's elder brother Mr.Veeranan. He died as a bachelor leaving behind the petitioner and his brothers, namely, Mr.Nallu Ambalam and Mr.Pandi as the only legal heirs. When that being so, the said Mr.Pandi and one Mr.N.Veeranan, son of Late.Nallu Ambalam, have obtained Patta in their name by suppressing the original legal heirs and tried to sell the property. Therefore, he made a complaint before the Superintendent of Police, Sivaganga, on 05.03.2012, against the said Mr.Pandi and one Mr.N.Veeranan. Thereafter, he sent a representation, dated 30.07.2012, under Tamil Nadu Patta Pass Book Act, to the District Collector, Sivaganga, requesting to include his name in the Patta issued



in respect of the property comprised in Survey No.62/8 of Manalur Village, Manamadurai Taluk, Sivaganga District. This was followed by reminder, dated 30.07.2012. Since the said representation is kept pending, the petitioner has approached this Court by filing this writ petition.

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4. Considering the facts and circumstances, there will be a direction to the petitioner to submit a fresh representation, along with a copy of the earlier representation and other documents in respect of his claim, to the first respondent, within a period of one week from the date of receipt of a copy of this Order. On receipt of such representation, the first respondent is directed to consider the petitioner's representation, after affording an opportunity of personal hearing to all other necessary parties and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks thereafter.

5. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(crl.side)

/True copy/

Sub-Assistant Registrar

To:

1.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Sivaganga, Sivaganga District.

2.The Tahsildar,
Manamadurai Taluk Office,
Manamadurai Post,
Sivaganga District.

3.The Tahsildar,
Thiruppuvanam Taluk Office,
Thiruppuvanam Post,
Sivaganga District.

+1cc to M/s.M.Saravana kumar, Advocate SR.No.60857
+1cc to special Government Pleader SR.No.61259

Sm:AAL-MPA:28.10.2015:2P/6C

W.P. (MD) No.18714 of 2015
14.10.2015