

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.09.2016

CORAM

The Honourable MR. JUSTICE M.SATHYANARAYANAN

W.P.No.30464 of 2016

T.R.Sampath

... Petitioner

Vs

1.The District Collector
Vellore District, Vellore-9.

2.The Tahsildar
Tirupathur Taluk
Vellore District.

3.K.S.Santhi

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents 1 and 2 to issue a separate patta in the name of the petitioner after conducting a survey to identify the boundaries in respect of 1.07 acres comprised in S.NO.152/1B1, Kathirimangalam Village, Tirupathur Taluk, Vellore District by considering the petitioner's application dated 22.08.2016 and representations dated 15.12.2014, 23.06.2016, 16.08.2016 and 22.08.2016.

For Petitioner	: Mr.N.Manokaran
For RR 1 & 2	: Mr.P.Sanjay Gandhi, AGP

ORDER

By consent, this writ petition is taken up for final disposal.

2 The petitioner claims to be the owner of the landed property admeasuring to an extent of 1.07 acres comprised in S.NO.152/1B1, Kathirimangalam Village, Tirupathur Taluk, Vellore District, by virtue of a registered Sale Deed bearing Document No.1344/2008 dated 15.02.2008 executed by the 3rd respondent and claims to be in possession and enjoyment of the same. The 3rd respondent had filed a suit in OS.No.287/2014 on the file of the Court of the Principal District Munsif, Tirupathur, Vellore District, for permanent injunction and it was dismissed for default on 08.01.2016. The petitioner submitted an on-line application dated 22.08.2016 to the 2nd respondent for sub-division and patta transfer and also paid the prescribed fees and since no response is forthcoming, the petitioner submitted a representation dated 22.08.2016 to the respondents 1 and 2 and despite that, he is yet to be favoured with any kind of response and hence, came forward to file the present writ petition.

3 Heard the submissions of the learned counsel appearing for the petitioner and Mr.P.Sanjay Gandhi, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 and 2.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to consider and pass orders on the representation of the petitioner dated 22.08.2016 in accordance with law, after putting on notice, the 3rd respondent herein and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the 3rd respondent herein.

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

01.09.2016

Index : No
Internet: Yes
AP/jv

To
1.The District Collector
Vellore District, Vellore-9.

2.The Tahsildar
Tirupathur Taluk
Vellore District.

M.SATHYANARAYANAN,J.
AP/jv

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