

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.18770 of 2016

R.Vaithi

... Petitioner

Vs.

1.The District Collector,
Salem District,
Salem.

2.The Tahsildar,
Sankari,
Sankari Taluk,
Salem District.

3.Thailammal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus directing the respondents 1 and 2 to consider the petitioner's representations dated 22.02.2016 and 12.04.2016 to include the petitioner's name in Patta No.216 relating to the petitioner's house in Old S.F.No.169/2 corresponding to Natham S.No.251/19, Ekapuram Village, Sankari Taluk, Salem District.

For Petitioner : Mr.N.Manokaran

For Respondents: Mr.S.Pattibiraman,
Government Advocate.

O R D E R

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

2. The petitioner claims to be the owner of the house bearing Door No.6/74, comprised in new Natham S.No.251/19 (Old S.No.169/2) Ekapuram Village, Sankari Taluk, Salem District and claims to be in occupation of eastern part of the northern portion and the third respondent is in occupation of the western part of the northern portion. The petitioner would further state that one Nallammal is in occupation of the southern portion. However, the name of the petitioner was not included in patta No.216, whereas the third respondent managed to include her name

in respect of the entire northern portion. The petitioner. in this regard, has submitted a representation dated 22.02.2016 to the second respondent including his name in patta No.216 and the second respondent in turn directed the Village Administrative Officer, Egapuram Village to conduct an enquiry and submit his report after conducting field inspection and accordingly, enquiry was conducted and report was also submitted to the second respondent and however, no orders have been passed on the petitioner's representation and in this regard, the petitioner sent a reminder dated 12.04.2016 and since he has not been favoured with any kind of response, came forward to file this writ petition.

3. Heard the submissions of Mr.N.Manokaran, learned counsel appearing for the petitioner and Mr.S.Pattibiraman, learned Government Advocate, who accepts notice on behalf of the respondents 1 and 2.

4. Though the petitioner prays for the 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 second respondent to consider and dispose of the petitioner's representation dated 22.02.2016 as well as the reminder dated 12.04.2016 on merits and in accordance with law, after putting on notice the third respondent and pass orders within a period of eight 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 third respondent.

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

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

vsm

To

1.The District Collector,
Salem District, Salem.

2.The Tahsildar,
Sankari, Sankari Taluk,
Salem District.

1 cc to Mr.N. Manokaran, Advocate, Sr. 29926
1 cc to Government Pleader, SR. 29812

Writ Petition No.18770 of 2016

ARS (CO)
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