

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20015 of 2016

A.S.Palanisamy

... Petitioner

Vs.

1 The District Collector
Erode-638 011.

2 The Tahsildar
Erode-638 001.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent 1 to direct respondent 2 to consider the representation dated 14.03.2015 and 19.11.2015 by the petitioner and pass orders on merits and in accordance with law within a time frame that may be stipulated by this Honourable Court.

For Petitioner : Mr.A.S.Palanisamy
Party-In-Person

For Respondents : Mr.R.A.S.Senthilvel
Additional Government Pleader

O R D E R

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

2.The petitioner is a practising Lawyer and he would state that he owns a house at his native place namely, Andakotham Palayam, Erode District and to evidence the same, he has also enclosed election identity card. The petitioner submitted an application dated 14.03.2015 to the second respondent stating among other things that his parents namely, Songappan alias Songaan and Pavaayal alias Pavayee were residents of Old Door No.8 and New Door No.P36 of Andakotham Palayam, Erode District and they died on 09.07.1991 and 18.02.2005 respectively, leaving behind the petitioner's elder sister namely, M.Chandira and the petitioner.

3.The petitioner on account of the demise of his mother wants transfer of patta as well as change of name in the revenue records and also to get re-connection of the electricity supply and in this regard, submitted a representation dated 14.03.2015 and also

submitted application in the prescribed format enclosing the necessary documents. However, the second respondent did not choose to pass any orders. The petitioner also brought to the knowledge of the second respondent about the non issuance of the legal heir certificate. The second respondent vide memo dated 15.04.2015 in O.Mu.8178/2015 A7, has directed the Revenue Inspector, Aval Poondurai to conduct enquiry and forward a report to him. However, the said direction has not been complied with and the petitioner in this regard, has also sent a representation dated 19.11.2015 to the respondents praying for appropriate direction and it was also acknowledged and despite that, no orders whatsoever has been passed and therefore, the petitioner is constrained to approach this Court by way of the writ petition.

4. Heard the submissions of the petitioner/ Party-In-Person and Mr.R.A.S.Senthilvel, learned Additional Government Pleader who accepts notice on behalf of the respondents.

5. It is regret to note that the application for getting the legal heir certificate was submitted as early as on 14.03.2015 by the petitioner who happens to be a Lawyer also and when it was brought to the knowledge of the second respondent about the non-issuance of the said certificate, the second respondent vide memo dated 15.04.2015, has directed the Revenue Inspector, Aval Poondurai to conduct enquiry and to send a report. The petitioner has also submitted a detailed representation dated 19.11.2015 to the first respondent to take appropriate action and in spite of it, the grievance of the petitioner is yet to be addressed.

6. This Court is repeatedly pointing out that the application submitted for transfer of patta, issuance of legal heir certificate and getting ration cards are kept pending for years together and driving out the aggrieved person to approach this Court and the valuable time of this Court is being spent by disposing of these kind of matters.

7. This Court in the light of the above facts and circumstances, directs the respondents 1 and 2 to consider the representations dated 14.03.2015 and 19.11.2015 submitted by the petitioner, on merits and in accordance with law and pass orders, within a period of three weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

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To

1.The Chief Secretary to Government,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.

2.The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.

3.The District Collector
Erode-638 011.

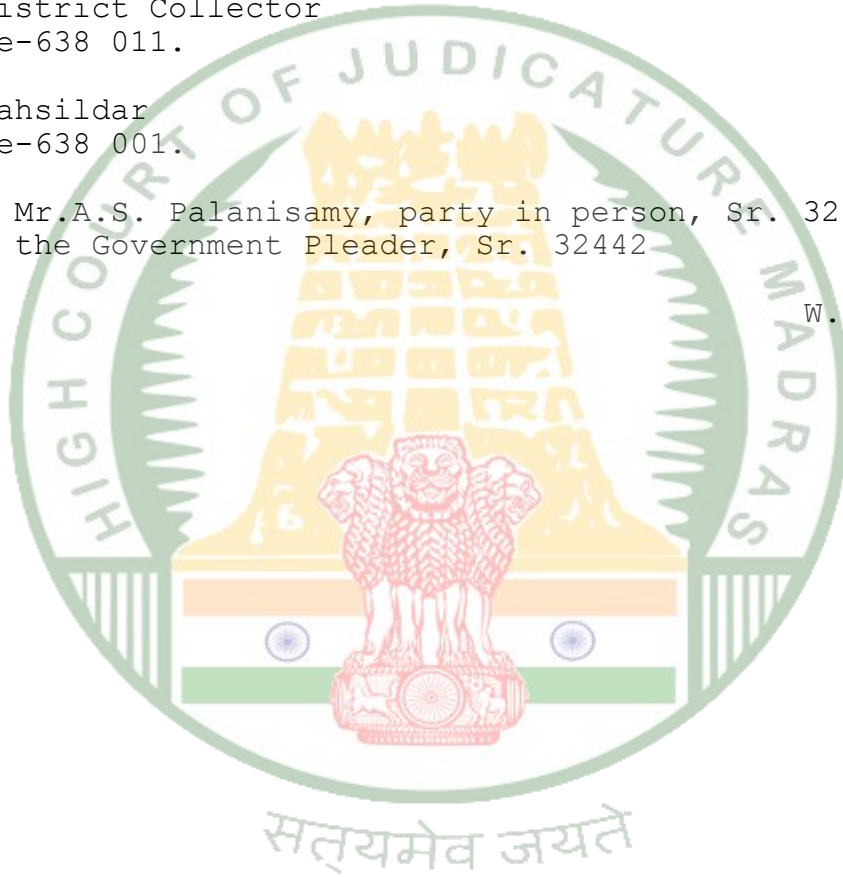
4.The Tahsildar
Erode-638 001.

1 cc to Mr.A.S. Palanisamy, party in person, Sr. 32029

1 cc to the Government Pleader, Sr. 32442

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