

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.21487/2016

Mr.N.Dhanusuvel

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Petitioner

Versus

1.The Revenue Divisional Officer
RDO Office, Kallakurichi,
Villupuram District.

2.The Tahsildar
Sankarapuram Taluk Office
Sankarapuram, Villupuram District.

3.V.Arumugam

4.V.Pazhaniyapillai

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 1st respondent to take appropriate action on the representation dated 26.05.2016 made by the petitioner with regard to cancellation of pattas issued in favour of the 3rd and 4th respondents.

For Petitioner : Mr.G.Balamanikandan

For RR 1 and 2 : Mr.R.Vijayakumar,
Additional Government Pleader

ORDER

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

2 The petitioner claims that his father Nadesan, originally owned properties comprised in S.Nos.52/10C, 58/10C, 52/3, 52/4, 79/1 and 117/31 at Sembadakurichi Village, Sankarapuram Taluk, Villupuram District and also got patta bearing No.175 for Survey Nos.52/10C and 58/10C. The father of the petitioner had settled the properties comprised in the above said two survey numbers, by means of a registered Sale Deed bearing Document No.465/1993 dated 05.05.1993, registered

on the file of the Sub Registrar, Vadakkananthal. The petitioner would state that after the demise of his father, all the legal heirs, including the petitioner, are in possession and enjoyment of the same and the respondents 3 and 4 have started interfering in their possession and enjoyment. Hence, the petitioner filed a suit in OS.No.27/1997 on the file of the Court of District Munsif, Kallakurichi, praying for declaration and other consequential reliefs and the said suit came to be decreed on 07.04.2004 and no further challenge has been made in the form of appeal and the said judgment and decree has become final. The grievance expressed by the petitioner is that the 3rd respondent, who is working as Village Administrative Officer, is abusing his position and with the help of some revenue officials, has mutated the pattas 175, 362 and 386 in his name as well as in the name of his brother, the 4th respondent herein. The petitioner in this regard, has submitted a representation dated 26.05.2016 to the 1st respondent and since no orders have been passed, the petitioner came forward to file the present writ petition.

3 Heard the learned counsel for the petitioner and Mr.R.Vijayakumar, 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 above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 1st respondent to consider and dispose of the petitioner's representation dated 26.05.2016 on merits and in accordance with law, after putting on notice the respondents 3 and 4 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 respondents 3 and 4.

5 The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

AP

To

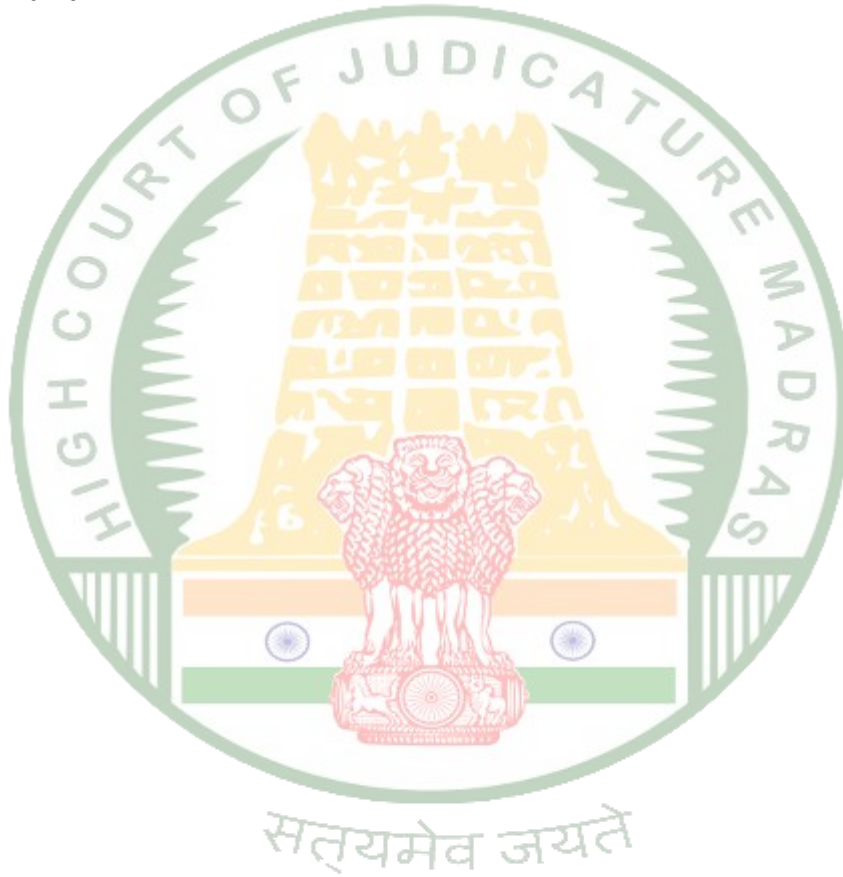
1.The Revenue Divisional Officer
RDO Office, Kallakurichi,
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2.The Tahsildar
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Sankarapuram, Villupuram District.

1 cc to M/s.G.Balamanikandan, Advocate, sr.35243
1 cc to Government Pleader, sr.35266

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svi co
kra 12.07.2016



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