

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.21780 of 2016

N.Suresh

... Petitioner

Vs.

The Thasildar
Tiruvallur Taluk,
Tiruvallur District.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pass orders pursuant to the enquiry conducted on 06.08.2015 relating to the name transfer in Patta No.164 in SF No.139/7 and 139/3 measuring 0.08.5 Ares of agricultural land at Ayalacheri Village, Tiruvallur Taluk, Tiruvallur District.

For Petitioner : Mr.S.Kamadevan

For Respondent : Mr.V.S.Ramesh

Government Advocate

O R D E R

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

2.The petitioner would state that his father late.Narayanasamy Naidu had purchased the lands admeasuring to an extent of 40 cents in SF Nos.139/4 and 139/7 (20 cents (0.08.0 Ares) in each survey No) and a well in 139/3 (0.005.0 Ares) of Ayalacheri Village, Tiruvallur Taluk and District, through a registered sale deed, dated 24.08.1973 and claimed to be in possession and enjoyment till his demise on 11.12.2008 and after his demise, the petitioner, his mother and his younger brother had succeeded to his Estate. The petitioner and others wanted to make family arrangement with respect to the family property. It is only then, it came to their knowledge that in respect of the land in SF.No.139/7, admeasuring to an extent of 20 cents, some third party's name have been wrongly entered during UDR survey. The petitioner and others in this regard, made representations to the District Collector, Tiruvallur District and the last of such representation was made on 09.02.2015, to rectify the said mistake and the District Collector in turn, had forwarded the representation to the Tahsildar, Tiruvallur District for taking appropriate steps and since no orders have been passed, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner would submit that for rectifying the mistake, the persons whose name have been wrongly entered have also expressed no objection and despite that, the respondent is not passing orders and therefore, the petitioner is constrained to file the writ petition before this Court.

4.Heard the submissions of Mr.S.Kamadevan, learned counsel appearing for the petitioner and Mr.V.S.Ramesh, learned Government Advocate who accepts notice on behalf of the respondent.

5.Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the same, directs the respondent to consider and dispose of the petitioner's representation dated 09.02.2015, on merits and in accordance with law, after putting on notice, the persons concerned 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.

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

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

The Thasildar
Tiruvallur Taluk,
Tiruvallur District.

+1 cc to Govt.Pleader,SR.35552.

+1 cc to Mr.S.Kamadevan, Advocate,SR.35255.

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