

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.22368 of 2016

Mrs.Madhuram Ramanathan
rep.by her Power of Attorney
Holder Agent Mr.L.Kase

.. Petitioner

Vs.

1.The Tahsildar
Tambaram Taluk
Kancheepuram District.

2.A.B.Abdul Rahman
3.V.R.Jagannath

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to dispose of petitioner's representation dated 11.04.2016 in accordance with law within the time frame to be fixed by this Court.

For Petitioner : Mr.R.Ezhilarasan
For R1 : Mr.P.Sanjay Gandhi, AGP

ORDER

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

2 The petitioner claims that he is the Power of Attorney Agent of Tmt.Madhuram Ramanathan, residing at No.117, Oaks Drive, Santa Rosa, California 95409, USA and the property being a vacant land situated in Plot No.62, Kulathur Village, Saidapet Taluk, Chengalpattu District and as per Patta No.182, comprised in new S.No.383/6A3B of the same place, originally owned by Tvl.Varadappa Naicker and Chinnasamy Naicker and the petitioner had purchased the said property through three registered Sale Deeds bearing Document Nos.2253/1999, 2254/1999 and 2255/1999 on the file of the Sub Registrar, Tambaram. According to the petitioner, one Subramaniam along with four others had colluded and created forged Power of Attorney and using the same, they executed the Sale Deed bearing Document No.643/2002 in favour one A.B.Abdul Rahman, the 2nd respondent herein, who in turn,

sold the said property to one V.R.Jagannath, the 3rd respondent herein, vide registered Sale Deed dated 5639/2006 on the file of the Sub Registrar, Pallavaram. The petitioner in this regard, has also lodged a complaint on the file of the Central Crime Branch, Chennai and the case was registered in Cr.No.562/2008 for the commission of the alleged offences u/s.420, 465, 467, 468 r/w 471 and 120-B IPC and according to the petitioner, the case, after investigation, has culminated in a charge sheet also. The grievance expressed by the petitioner is that since further attempts are being made to alienate the property by adopting fraudulent means, a representation dated 11.04.2016 has been submitted by the petitioner to the 1st respondent praying for cancellation of patta and since no response is forthcoming, he came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner ; Mr.P.Sanjay Gandhi, learned Additional Government Pleader who accepts notice on behalf of the 1st respondent.

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 same, permits the petitioner to submit one more representation to the 1st respondent along with a copy of this order as well as a copy of the earlier representation dated 11.04.2016 within a period of two weeks from the date of receipt of a copy of this order and the 1st respondent, on receipt of such representation, is directed to consider and dispose of the said representation on merits and in accordance with law, after putting on notice the respondents 2 and 3 and pass orders within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner as well as to the respondents 2 and 3.

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

AP

s/d-
Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To
The Tahsildar
Tambaram Taluk
Kancheepuram District.

+ 1 cc to Mr.R.Ezhilarasan, Advocate SR 36308

nm(co)
prk18/7

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