

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.24317 of 2016

K.Sannasai

.. Petitioner

Vs.

1.The District Collector,
Salem.

2.The Revenue Divisional Officer,
Attur Taluk,
Salem District.

3.The Tahsildar,
Pethanaickenpalayam Post and Taluk,
Salem District.

4.R.Selvakumar

5.R.Chinnadurai

6.Rasathi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 2 and 3 herein to consider the petitioner's representation dated 06.05.2016 and reminder representation 18.06.2016 and cancel the patta in the name of Rasathi and issue Natham patta in favour of the petitioner for bearing Old S.No.78, New S.No.111/2 which is situated in Rangappanaickenpalayam Village, Gopalapuram Post, Pethanaickenpalayam Taluk, Salem District.

For Petitioner :M/s.A.Rajakumar

For Respondents :Mr.R.Govindasamy
Special Government Pleader
for R1 to R3

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner claims to be the absolute owner of the property bearing Old Natham S.No.78, New S.No.111/2, which is situated in Rangappanaikenpalayam Village, Gopalapuram Post, Pethanaikenpalayam Taluk, Salem District and he is in possession and enjoyment of the same. According to the petitioner, patta was wrongly given in favour of the sixth respondent, who in-turn executed a Settlement Deed in favour of the respondents 4 and 5, based on which they also filed a Suit in O.S.No.289 of 2010 on the file of the District Munsif Court, Attur, praying for permanent injunction and the said Suit was dismissed for default on 17.08.2013. The petitioner, alleging fraud and misrepresentation on the part of the sixth respondent, has also submitted a representation dated 06.05.2016, followed by a reminder dated 18.06.2016 for cancellation of patta granted in faour of the sixth respondent and since, no orders have been passed on his representations, came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader, who accepts notice for the respondents 1 to 3.

4. Though the petitioner has prayed for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the third respondent to consider and dispose of the petitioner's representations dated 06.05.2016 and 18.06.2016, after putting on notice the petitioner as well as the respondents 4 to 6 and pass orders in accordance with law within a period of eight weeks from the date of receipt of a copy and communicate the decision taken to the petitioner as well as the respondents 4 to 6.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Salem.

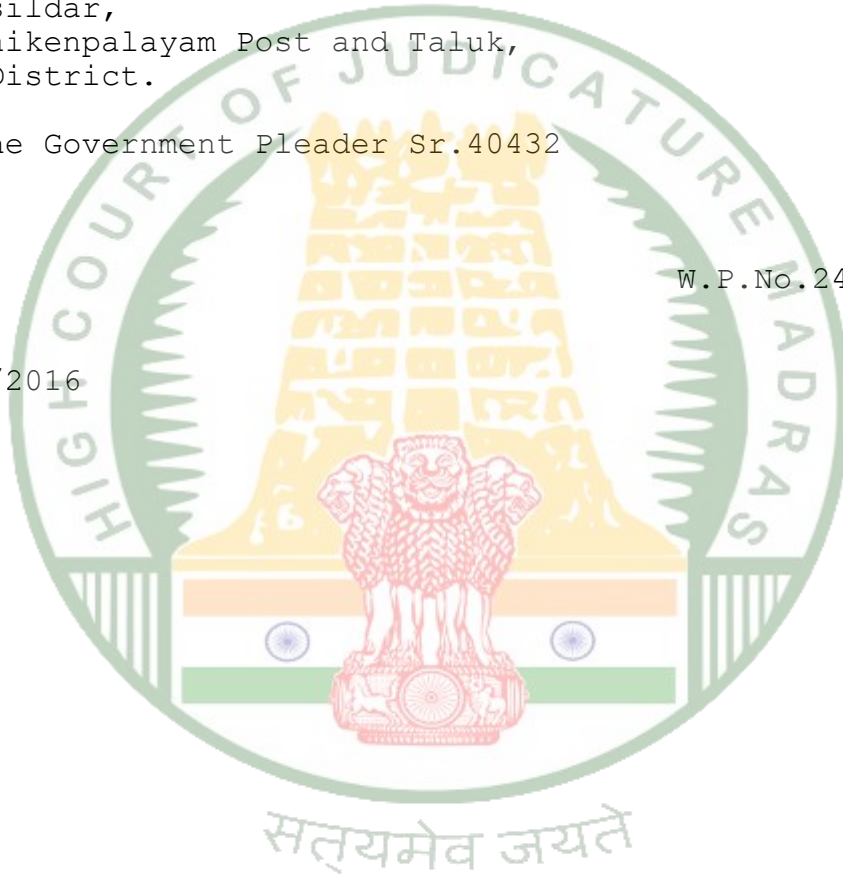
2.The Revenue Divisional Officer,
Attur Taluk,
Salem District.

3.The Tahsildar,
Pethanaikenpalayam Post and Taluk,
Salem District.

+1cc to the Government Pleader Sr.40432

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srg 03/08/2016



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