

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25781 of 2016

P.K.Jayamani

... Petitioner

Vs.

1 The District Collector,
Villupuram.

2 The Sub Collector,
Tindivanam.

3 The Thasildhar,
Tindivanam.

4 Saravanan

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd and 3rd respondents to take appropriate action for cancellation of patta illegally standing in the name of 4th respondent on the basis of the representation given by the petitioner 28.01.2015 in respect of the property of the petitioner in Old S.No.112/1 New S.No.195/4 - 6321.625 sq.ft, Old S.No.112/1 new S.No.195/4 - 2480 sq.ft, Old S.No.112/1 new S.No.195/4 - 833 sq.ft, Old S.No.112/1 New S.No.195/4 - 1608 sq.ft, Old S.No.112/1 new S.No.195/4 - 2304 sq.ft, Old S.No.118 new S.No.192/1 - 4704 sq.ft, Old S.No.118, New S.No.192/1-1443 sq.ft situate at Pathirapuliyur Village, Tindivanam Taluk, Villupuram District and thereby include the name of the petitioner in the revenue records including the patta in respect of the above properties.

For Petitioner : Mr.N.Suresh

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

O R D E R

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

2.The petitioner would state that his father Krishnadas Reddiar was the absolute owner of the properties in Old S.No.112/1 New S.No.195/4 - 6321.625 sq.ft, Old S.No.112/1 new S.No.195/4 - 2480 sq.ft, Old S.No.112/1 new S.No.195/4 - 833 sq.ft, Old S.No.112/1 New S.No.195/4 - 1608 sq.ft, Old S.No.112/1 new S.No.195/4 - 2304 sq.ft, Old S.No.118 new S.No.192/1 - 4704 sq.ft, Old S.No.118, New S.No.192/1-1443 sq.ft situate at Pathirapuliyur Village, Tindivanam Taluk, Villupuram District and those properties were purchased through two registered sale deeds bearing document nos.2373/1956 and 82/1961 dated 25.09.1956 and 17.01.1961 respectively, registered on the file of the Sub Registrar Office, Mailam.

3.The petitioner would further state that till his demise, his father was in possession and enjoyment of the above said properties and on account of his demise on 28.08.2004, his legal heirs including the petitioner had succeeded to the Estate and claims to be in possession and enjoyment of the properties. It is further stated by the petitioner that the fourth respondent taking advantage of the petitioner's absence in the village, had changed patta in his favour in collusion with the Revenue officials and in this regard, has submitted representation dated 28.01.2015 to the second respondent and the second respondent vide communication dated 14.02.2015 has also directed the third respondent to look into the representation and inform the decision taken to the petitioner and despite that, no orders have been passed and hence, came forward to file this writ petition.

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

5.Though the petitioner 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 either in his representation or in this writ petition, directs the third respondent to consider and dispose of the petitioner's representation dated 28.01.2015, in accordance with law, after taking note of the communication of the second respondent dated 14.02.2015 and after putting on notice, the fourth respondent, shall pass orders within a period of eight 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 fourth respondent.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1 The District Collector,
Villupuram.
- 2 The Sub Collector,
Tindivanam.
- 3 The Thasildhar,
Tindivanam.

+1 cc to the Government Pleader sr.42124
+1 cc to M/s.N.Suresh Advocate sr.42108

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aa16/08/2016

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