

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:26.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25981/2016

R.Devaraj

..Petitioner

-Versus-

1.The District Collector
Collectorate, Sampath Nagar
Erode, Erode District.

2.The Tahsildar
Taluk Office, Bhavani 638001
Erode District.

3.The Special Tahsildar
Adhi Dravida Welfare
Erode, Erode District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 3rd respondent to implement the proceedings of the 2nd respondent in Na.Ka.No.3876/2008-S.I. dated 24.03.2008 by considering the representation of the petitioner dated 23.06.2016.

For Petitioner : Mr.D.Balachandran

For Respondents : Mr.P.Sanjay Gandhi, AGP

ORDER

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

2 The petitioner claims to have purchased Plot Nos.6 and 7 of Sri Amman Nagar, Oricheri Village, Bhavani Taluk, Erode District, through a registered Sale Deed dated 10.06.2009 and when he applied for Bank Loan, he came to know that some pattas in respect of the said lands were given in favour of people belonging to Scheduled Caste community. Subsequently, an enquiry was made and it was found that the survey number for poramboke Harijana

Natham was wrongly mentioned as 94/8 in stead of 94/6 and the 2nd respondent vide proceedings dated 24.03.2008 in Na.Ka.No.3876/2008-S.I, has requested the 3rd respondent to make necessary corrections and to sub-divide the lands which were allotted to people belonging to Scheduled Caste community and take appropriate action and cancel pattas issued in respect of wrong survey numbers and since the said proceedings have not been implemented, the petitioner has submitted a representations dated 23.06.2016 to the respondents 1 to 3 and though the said representations were acknowledged on 25.06.2016 and 26.06.2016 respectively, no orders have been passed and hence, the petitioner came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.P.Sanjay Gandhi, learned Additional Government Pleader who accepts notice on behalf of the respondents and he would submit that it is not clear as to whether any further challenge has been made to the proceedings of the 2nd respondent dated 24.03.2008.

4 Be it that as it may, 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 same, directs the 3rd respondent to consider and dispose of the petitioner's representation dated 23.06.2016 in accordance with law, after putting on notice the person/s 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 as well as to the person/s concerned.

5 The writ petition is disposed of accordingly. No costs.
AP

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The District Collector
Collectorate, Sampath Nagar
Erode, Erode District.

2.The Tahsildar
Taluk Office, Bhavani 638001
Erode District.

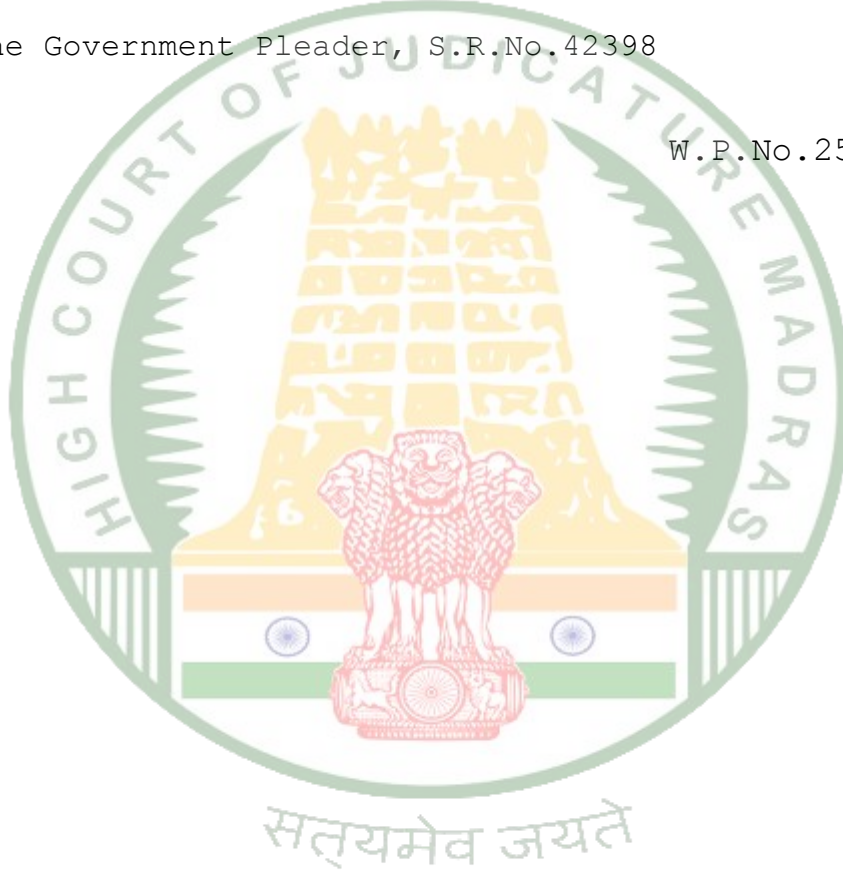
3.The Special Tahsildar
Adhi Dravida Welfare
Erode, Erode District.

+1cc to Mr.D.Balachandran, Advocate Sr 42271

+1cc to the Government Pleader, S.R.No.42398

KR/5/8/16

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