

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27393/2016

Mrs.V.Kamatchi

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Petitioner

Versus

1.The District Collector
Kancheepuram Town
Kancheepuram District.

2.The Revenue Divisional Officer
Maduranthagam Revenue Divisional
Office, Maduranthagam Town.

3.The Tahsildar
Maduranthagam Taluk Office
Maduranthagam Town.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 3rd respondent to pass an order on the basis of the petitioner representation dated 02.02.2015.

For Petitioner : Mr.Kumar

For Respondents : Mr.P.Sanjay Gandhi, AGP

ORDER

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

2 The petitioner claims that she is the absolute owner of the property admeasuring to an extent of 44 cents comprised in Survey No.35/5 in Pallipettai Village, Maduranthagam Taluk, Kancheepuram District and she is the successor in interest of her mother, namely, [late] Mrs.Nagammal, who died intestate on 27.07.1994. The petitioner would further state that in respect of the property, there was a rival claim and therefore, she had filed a suit in OS.No.157/2013 on the file of the Court of District Munsif, Maduranthagam, praying for declaration of her title and also for permanent injunction, restraining the defendants 1 to 3 therein from interfering with the peaceful possession and enjoyment of the petitioner

and the suit, after contest, came to be decreed on 13.06.2014 and according to the petitioner, no steps have been taken either to set aside the decree or file an appeal challenging the legality of the said decree and it has become final. The petitioner, thereafter, submitted a representation / petition, praying for transfer of patta, based on which notice of enquiry was also sent by the 3rd respondent to the petitioner and though the petitioner is fully cooperating with the 3rd respondent, no further proceedings are taking place and hence, she 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.

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, directs the 3rd respondent to act on the application/representation of the petitioner dated 02.02.2015 and also in terms of his summons to attend the enquiry dated 20.07.2015 in Na.Ka.No.2972/2015/Aa3 and 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.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

AP
To

- 1.The District Collector
Kancheepuram Town
Kancheepuram District.
 - 2.The Revenue Divisional Officer
Maduranthagam Revenue Divisional
Office, Maduranthagam Town.
 - 3.The Tahsildar
Maduranthagam Taluk Office
Maduranthagam Town.
- 1 cc to Mr.Kumar & Baskar, Advocate, sr.44539
1 cc to Government Pleader, sr.44884

W.P.No.27393/2016

rsy co, kra 24.08.2016