

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.28363/2016

C.Bagyalakshmi
rep.by her Power of Attorney
S.Malathi

.. Petitioner

Vs.

1.The Revenue Divisional Officer
Thiruppur, Thiruppur District.

2.The Tahsildar
Avinashi, Thiruppur District.

3.The Block Development Officer
[Village Panchayat], Avinashi Union
Avinashi, Thiruppur District.

4.The Panchayat President
Karuvalur Panchayat
Karuvalur, Avinashi Union,
Thiruppur District.

5.Gowri

.. 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 consider and dispose of the petitioner representation dated 19.02.2015 within a period of stipulated time.

For Petitioner : Mr.K.Krishnan
For RR 1 & 2 : Mr.A.N.Thambidurai, Spl.GP
For RR3 & 4 : Mr.M.Digvijayapandian, AGP

ORDER

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

2 The Power of Attorney of the petitioner would state among other things, that the property in Survey No.503/2, admeasuring to an extent of 1277 sq.ft., in Karuvalur village,

Kallipalayam, Avinashi Taluk, Thiruppur District, originally belonged to the petitioner's grandfather as well as as on Periyamarappa Gounder, through a registered Sale Deed bearing Document No.905/1944 and the petitioner's grandfather died on 29.12.1993 and the said property was sold by one Sekar, the permissive occupant, in favour of his son Boopathi on 18.05.2005 vide Document No.3985/2005 and he in turn, changed patta and got electricity, property tax and water connection in his name. According to the petitioner, the said person has no right whatsoever and the property in question was also sold in favour of the 5th respondent on 10.04.2013 vide Document No.3969/2013 and in this regard, the petitioner, alleging fraud and fabrication, had approached very many authorities including the police and also raised an objection for transfer of patta in the name of the 5th respondent, in the form of representation to the District Collector, Thiruppur District on 16.02.2015, who in turn, forwarded the same to the 2nd respondent and the 2nd respondent, vide Memo in O.Mu.No.2044/2015/m3 dated 10.03.2015, has directed the petitioner to approach the Sub Collector/1st respondent in the form of an appeal and the grievance expressed by the petitioner is that despite very many representations, no action has been taken so far 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.A.N.Thambidurai, learned Special Government Pleader who accepts notice on behalf of the respondents 1 and 2 and Mr.M.Digvijayapandian, learned Additional Government Pleader who accepts notice on behalf of the respondents 3 and 4.

4 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 2nd respondent to forward the petitioner's representation / appeal dated 16.02.2015 to the 1st respondent in the light of his Memo in O.Mu.No.2044/2015/m3 dated 10.03.2015, within a period of two weeks from the date of receipt of a copy of this order and the 1st respondent, on receipt of the same, is directed to consider and dispose of the said representation/appeal in accordance with law, after putting on notice the respondents 4 and 5 and pass orders within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the 5th respondent herein.

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

Sd/-
Assistant Registrar(CS II)

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AP

To

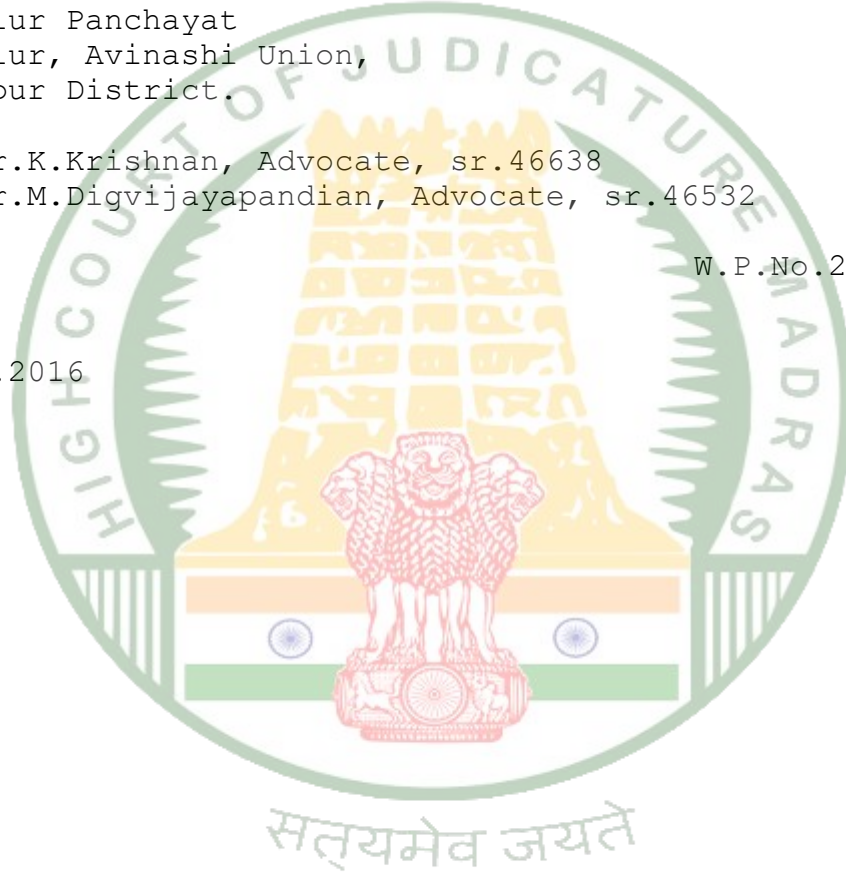
- 1.The Revenue Divisional Officer
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- 4.The Panchayat President
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Thiruppur District.

1 cc to Mr.K.Krishnan, Advocate, sr.46638

1 cc to Mr.M.Digvijayapandian, Advocate, sr.46532

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lrs co
kra 02.09.2016



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