

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.29126/2016

A.Nawab John

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Petitioner

Vs.

1.The District Collector
Trichy District, Trichy.

2.The Revenue Divisional Officer
Veppanthattai Taluk
Perambalur District.

3.The Tahsildar
Veppanthattai Taluk,
Perambalur District.

4.R.Thangaraj

...

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the 3rd respondent to consider the petitioner representation dated 10.08.2015 to cancel the patta of the 4th respondent and to issue patta in favour of the petitioner in accordance with the direction of the 1st respondent dated 12.08.2015 in O.Mu.A2/2375/2015 within the time frame fixed by this Court.

For Petitioner : Mr.R.Suresh Kumar for
M/s.K.M.Vijayan Associates

For R1to R3 : Mr.R.A.S.Senthilvel, AGP

ORDER

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

2 The petitioner claims to be the owner of the property comprised in S.No.464/28 situate at Valikandapuram Village, Veppanthattai Taluk, Perambalur District, through a

registered Sale Deed bearing Document No.2691/1980 dated 23.12.1980. The petitioner apprehending dispossession on the part of the 4th respondent, also filed a suit in OS.No.60/1992 on the file of the Court of the Additional District Munsif, Ariyalur, for declaration of title and recovery of possession and it was decreed on 29.06.1992 in favour of the petitioner herein and the 4th respondent and others preferred an appeal in AS.NO.99/1992 on the file of the Sub Court, Ariyalur, which ended in dismissal on 12.01.1996, so also SA.No.319/1996 filed before this Court. Thereafter, the petitioner had submitted an application on 10.08.2015 to the 1st respondent for cancellation of patta and the 1st respondent vide letter dated 12.08.2015 in O.Mu.A2/2375/2015, has directed the 3rd respondent to act accordingly and inform the decision taken to its office and despite that, the 3rd respondent did not chose to pass any orders 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.R.A.S.Senthilvel, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

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 communication/Proceedings of the 1st respondent dated 12.08.2015 in O.Mu.No.A2/2375/2015 and after putting the 4th respondent on notice, shall 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 4th respondent herein.

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
Trichy District, Trichy.

2.The Revenue Divisional Officer
Veppanthattai Taluk, Perambalur District.

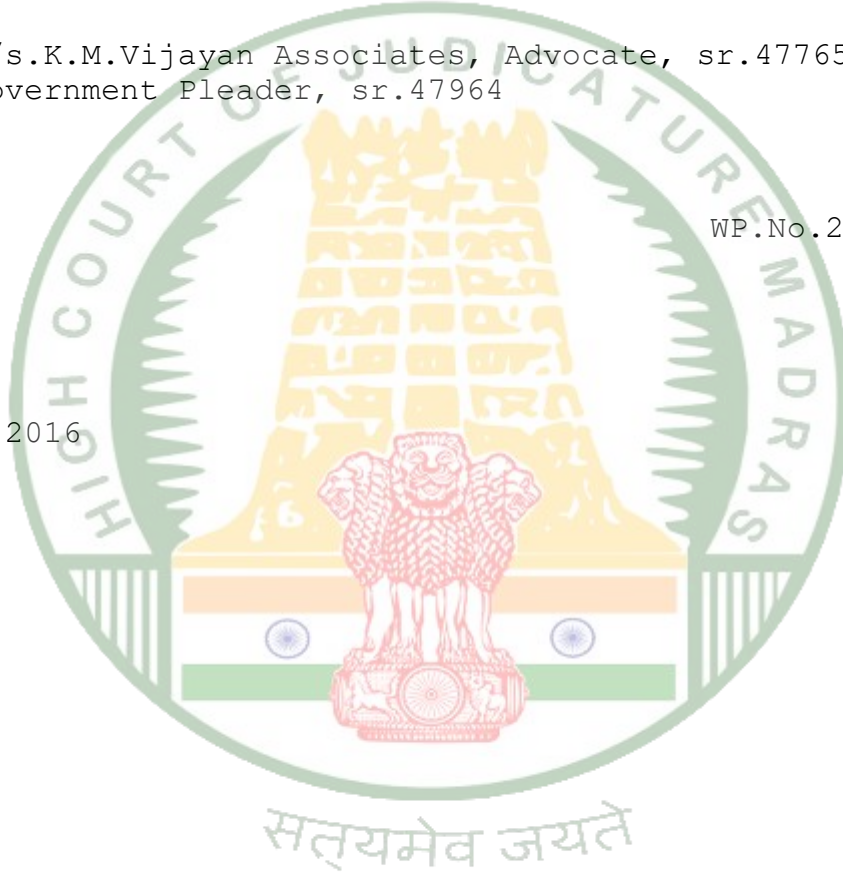
3.The Tahsildar
Veppanthattai Taluk,
Perambalur District.

1 cc to M/s.K.M.Vijayan Associates, Advocate, sr.47765
1 cc to Government Pleader, sr.47964

WP.No.29126/2016

rp co

kra 08.09.2016



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