

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.35885/2016

S.Balasubramani

..

Petitioner

Vs.

1.The District Collector
Dharmapuri District,
Dharmapuri.

2.The Tahsildar
Dharmapuri, Dharmapuri District.

..

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 2nd respondent to issue patta to the petitioner based on his representation dated 06.07.2016 within the time frame to be fixed by this Court.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents: Mr.S.V.Duraisolaimalai, AGP

ORDER

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

2 The petitioner would state that he is the adopted son of one Somachari and Ranganayaki and his father, viz., Somachari, was in absolute possession and enjoyment of the property in question admeasuring to an extent of 8400 sq.ft. comprised in S.No.261/3 situate at Vellaiya Gounder Palayam Village. A suit in OS.No.84/1982 was filed by one Sakaravelu Asari and three others on the file of the Sub Court, Krishnagiri, in respect of the said property and after trial, the suit was decreed in favour of the petitioner's father on 15.05.1987. Subsequent to the death of his father, the petitioner's mother, Ranganayaki, executed a Will in favour of the petitioner and the same was registered on 28.08.1986 vide Document No.44/1986 on the file of the Office of the Joint Sub Registrar-II, Dharmapuri. The petitioner's mother expired on 22.12.1988 and after her death, the petitioner became the absolute owner of the property in question and to obtain patta, he has sent a representation to

the 1st respondent on 27.06.2016 on the Grievances Day and the 1st respondent has forwarded the same to the 2nd respondent for consideration. Since the said representation was not considered by the 2nd respondent, the petitioner sent another representation dated 06.07.2016 and the same also did not evoke any kind of response. Therefore, the petitioner has approached this Court, by filing the present writ petition.

3 Heard the learned counsel for the petitioner and Mr.S.V.Duraisolaimalai, 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 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 2nd respondent to consider and dispose of the petitioner's representation dated 06.07.2016 on merits and in accordance with law and pass orders as expeditiously as possible and communicate the decision taken, to the petitioner.

5 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

AP

To

- 1.The District Collector
Dharmapuri District, Dharmapuri.
- 2.The Tahsildar
Dharmapuri, Dharmapuri District.

1 cc to Mr.K. Gandhikumar, Advocate, Sr. 58044

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