

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.Nos.36749 to 36752 of 2016

D.Krishnamurthi	...Petitioner in W.P.No.36749 of 2016
D.Dakshnamurthi	...Petitioner in W.P.No.36750 of 2016
M.Jayamala	...Petitioner in W.P.No.36751 of 2016
D.Sukumaran	... Petitioner in W.P.No.36752 of 2016

Vs.

1.The Collector,
Cuddalore District,
Cuddalore.

2.The Tahsildar,
Cuddalore Taluk,
Cuddalore.

.. Respondents in all
the writ petitions

Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to pass orders on the representation dated 13.06.2016 followed by the reminder dated 04.07.2016 given by the petitioners.

For Petitioners in
all the writ petitions : Mr.R.Gururaj
For R1 and R2 in
all the writ petitions : Mr.Digvijayapandian, AGP

COMMON ORDER

Heard the learned counsel for the petitioners and Mr.Digvijayapandian, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 2 and with the consent on either side, the writ petitions are taken up for final disposal.

2 The petitioners would state that the property admeasuring to an extent of 0.61.5 Hectares comprised in S.No.159/5 has been declared as temple property vide judgment and decree dated 06.08.1976 in OS.No.447/1974 on the file of the Sub Court, Cuddalore. It is the case of the petitioner that the temple, viz., Arulmighu Kailasanathar Temple, sold the entire property to one Vaithiyalingam under a registered Sale Deed dated 03.10.2002, who in turn, had sold the properties to

several persons, including the petitioners herein and ever since the purchase of the lands, the petitioners are in continuous possession and enjoyment of the said lands. It is the further case of the petitioner that one Vijayaraghavan, claiming to be power of attorney agent of one Kothandapani Padayachi, filed suit in OS.No.238/2006 on the file of the learned Additional District Munsif, Cuddalore, claiming that the property belongs to one Appasamy Padayachi and that he has executed a Will in favour of Vijayaraghavan. The petitioners and Vaithiyalinga Mudaliar were made as parties in the said suit. The said suit was dismissed on 14.07.2014 and the appeal filed in AS.No.61/2014 filed before the Sub Court, Cuddalore was also dismissed on 08.01.2015 and the judgment and decree dated 06.08.1976 has become final. The grievance of the petitioners is that they have submitted individual representations dated 13.06.2016 to the 1st respondent seeking for name transfer in patta. Since the said representations were not considered, the petitioners have sent a reminder on 04.07.2016 which was forwarded to the 2nd respondent, who along with the VAO came to the property in question and inspected the same. Despite that, the petitioners have not been issued with pattas. Hence, they have come forward to file the present writ petitions.

3 Considering the limited scope of prayer sought for by the petitioners in these writ petitions, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioners in their representations, directs the 1st respondent to consider and dispose of the petitioners' representations dated 13.06.2016 as well as the reminders dated 04.07.2016 on merits and in accordance with law, after issuing notice to the person/s concerned and pass orders as expeditiously as possible and communicate the decision taken, to the petitioner as well as to the person/s concerned.

4 The writ petition is disposed of with the above direction. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

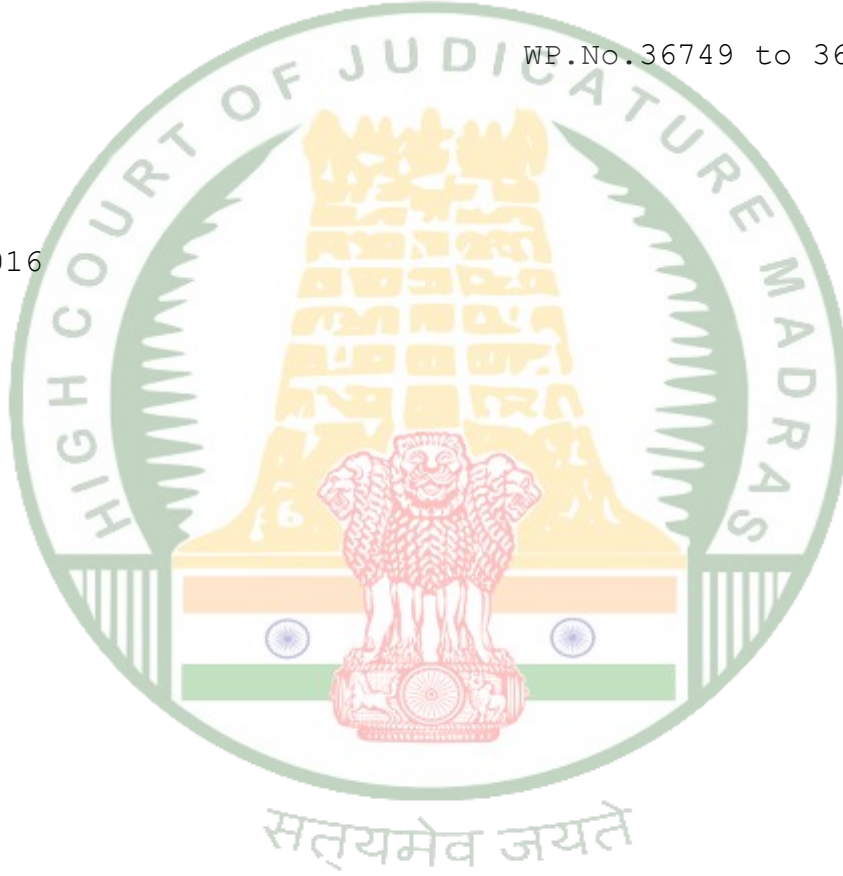
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Cuddalore District,
Cuddalore.

2.The Tahsildar,
Cuddalore Taluk,
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+1 cc to the Government Pleader sr 60198
+4 ccs to M/s.R.Gururaj Advocate sr 59892,59893,
59894,59895

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gml (co)
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