

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2016

CORAM

THE HONOURABLE Mr.JUSTICE B.RAJENDRAN

WP.No.37818/2016 & WMP.No.32408/2016

R.Arumugham

..Petitioner

-Vs-

- 1.The District Collector
Collectorate, Salem District,
Salem.
- 2.The Revenue Divisional Officer
Salem, Salem District.
- 3.The Zonal Deputy Tahsildar
Tiruchengode, Tiruchengode Town
and Post, Namakkal District.
- 4.The Tahsildar
Tiruchengode, Tiruchegode Town
and Post, Namakkal District.

5.R.Muthusamy

..Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 4 to take action on teh petitioner's representation dated 03.08.2016 in pursuance of the communication sent by the 2nd respondent to the 4th

respondent in the proceedings in ஐ.பி.No.2589/2589/2016/உ dated 23.08.2016.

For Petitioner : Mr.P.Valliappan

For RR 1 to 4 : Mr.R.S.Selvam, GA

ORDER

Heard Mr.P.Valliappan, learned counsel for the petitioner and Mr.R.S.Selvam, learned Government Advocate accepting notice on behalf of the respondents 1 to 4.

2 The petitioner would state that originally the land comprised in Survey No.21/1B, situate at Prithi Village, Tiruchengode Taluk, Namakkal District, belonged to his father [late] Ramasamy and patta was also issued in his favour in Patta No.306. Subsequent to his demise, the petitioner and his mother and sister are in absolute possession and enjoyment of the same. While so, the 5th respondent herein claimed that the land in Patta No.306 was transferred in his name vide order made in D/1424/3800. On verification, the petitioner found that the 5th respondent has transferred the patta in his name fraudulently. Thereafter, the petitioner sent a representation on 03.08.2016 calling upon them to

give certain details, viz., copy of the application given by the 5th respondent ; the documents filed by him etc. But, no reply was forthcoming from the respondents 1 to 4. Subsequently, on 23.08.2016, the 2nd respondent sent a communication in ஒ.பு.நா.2589/2589/2016/உ dated 23.08.2016, to the 4th respondent to take action on the petitioner's representation and despite the said communication, the 4th respondent has not taken any action. Hence, the petitioner has come up with the present writ petition seeking the above said relief.

3 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 in his representation, directs the 4th respondent to consider and dispose of the petitioner's representation dated 03.08.2016 on merits and in accordance with law and in the light of the communication of the 2nd respondent in ஒ.பு.நா.2589/2589/2016/உ dated 23.08.2016, after giving notice to the 5th respondent and pass orders as expeditiously as possible, and communicate the decision taken to the petitioner as well as to the 5th respondent herein.

B.RAJENDRAN.,J
AP

4 The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

01.11.2016

AP

To

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W.P.No.37818 of 2016

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