

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2016

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.40605 of 2016

N.N.Nagaraj

... Petitioner

Versus

The Tahsildar,
Tahsildar Office,
Soolagiri, Hosur Taluk,
Krishnagiri District.

... Respondent

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of mandamus, to direct the respondent to consider and pass order on the petitioner's representation dated 08.07.2016 within the time to be stipulated by this Court.

For Petitioner : Mr.K.S.Vaithianathan

For Respondent : Mr.P.Chinnadurai,
Government Advocate

ORDER

The petitioner has filed the writ petition seeking a direction to the respondent to consider his representation dated 08.07.2016 and pass orders thereon, within a stipulated time.

2. According to the petitioner, the properties situate in S.No.11/3 measuring an extent of 4.89 acres, northern half 2.45 acres in Punnaagarm Village, Hosur Taluk and in Beemandapalli village, Pimash No.38, measuring an extent of 68 cents including a dilapidated house of 10 x 13 feet originally belonged to Mrs.Lakshmakka, the grandmother of the petitioner, which was obtained by her by way of partition deed and she executed a Will in favour of the petitioner. In the said Will, the mother of the petitioner has life interest only. While so, the mother of the petitioner executed a Gift Deed in favour of one Pillapa. Therefore, the petitioner filed a suit in O.S.No.269 of 2011 on the file of the District Munsif cum Judicial Magistrate No.I, Hosur, against Pillapa, seeking a decree of declaration declaring that he is the absolute owner of the suit properties and consequently, to direct the defendant to put the petitioner in vacant possession of the suit properties. In the said suit, the defendant called absent and set ex parte and the suit was decreed in favour of the petitioner. Thereafter, the petitioner made a representation dated 08.07.2016 to the respondent for mutation of patta. But, the said representation is still pending before the respondent without consideration. Hence, the petitioner has filed the present writ petition seeking a

direction to the respondent to consider the said representation.

3. Mr.P.Chinnadurai, learned Government Advocate takes notice on behalf of the respondents and submits that the representation of the petitioner dated 08.07.2016 may be directed to be disposed of within a stipulated time.

4. Considering the limited prayer sought for in the writ petition, the respondent is directed to consider the representation of the petitioner dated 08.07.2016 and pass orders thereon, on merits and in accordance with law, as expeditiously as possible.

5. With the above direction, the present Writ Petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

The Tahsildar,
Tahsildar Office,
Soolagiri, Hosur Taluk,
Krishnagiri District.

+1 cc to Government Pleader sr 67532

+1 cc to Mr.K.S.Vaithianathan Advocate sr 67371

सत्यमेव जयते

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