

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.5955 of 2016

Kolanchibabu

.. Petitioner

Vs.

1.The District Collector
District Collectorate Office, Perambalur
Perambalur District.

2.The Tahsildar
Kunnan Taluk,
Perambalur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the second respondent to consider and pass orders on the representation of the petitioner dated 12.11.2015 on merits by considering the documents submitted by the petitioner.

For Petitioner : Mr.T.Gobinath

For respondents : Mr.Dig Vijaya Pandian, AGP.

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come up with the present writ petition for issuance of writ of mandamus to direct the second respondent to consider and pass orders on the representation of the petitioner dated 12.11.2015 on merits by considering the documents submitted by the petitioner.

3.The petitioner submits that the property situated in S.No.7/19 to an extent of 7.5 cents in Kallai Village, Oalaipadi Mazira, Kunnan Taluk, Perambalur District was in the possession of the petitioner's ancestor for more than 100years and grand father Periyasamy was in possession of 7.5cents by paying B memo to the Government before seventy years.

4.After the demise of Periyasamy, the father of the petitioner Kaliyaperumal and his brothers Thangasamy and Rajadurai inherited the property from petitioner's grandfather and was in possession and enjoyment by paying appropriate taxes to the Government. Now the petitioner and his brothers Gunasekaran and Udhayakumar are residing in the said land without any hindrances, after putting up construction and obtaining electricity connection and by paying taxes to the Government. The petitioner and his brothers names are reflected in the Government records pertaining to the said Survey number. The petitioner submitted his written representation to the first respondent on 12.11.2015 for issuing joint patta in the name of the petitioner and his brothers, the same is forwarded to the second respondent on 23.11.2015 by the first respondent. But till date the respondents has not considered the request of the petitioner, hence the petitioner filed the present writ petition.

5.Heard the submissions of learned counsel appearing for the petitioner and the learned Additional Government Pleader who accepts notice on behalf of the respondents.

6.Considering the facts and circumstances, this Court directs the second respondent to consider the representation of the petitioner dated 12.11.2015 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording opportunity of personal hearing to the petitioner as well as to the necessary parties, if any.

7.The writ petition is disposed of accordingly. No costs.
tsh

-s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1.The District Collector
District Collector Office, Perambalur
Perambalur District.

2.The Tahsildar
Kunnan Taluk,
Perambalur District.

+ 1 cc to Mr.T.Gobinath, Advocate, SR 10409

+ 1 cc to Government Pleader, High Court, Madras SR 10543

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