

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2016

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.9761 of 2016

T.Selvaraju

... Petitioner

vs.

1. State Represented by
The Revenue Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

2. The District Collector
Ariyalur,
Ariyalur District.

3. The Revenue Divisional Officer
Jeyankondam,
Ariyalur District.

4. The Tahsildar
Jeyankondam,
Ariyalur District.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the fourth respondent to dispose the representation of the petitioner, dated 10.01.2015 on the file of the fourth respondent.

For Petitioner : Mr.K.Ramanatha Reddy

For Respondents: Mr.V.Jayaprakash Narayanan, Spl.GP

O R D E R

The writ petition has been filed under Article 226 of the Constitution of India, seeking an order in the nature of writ of mandamus, directing the fourth respondent to dispose the representation of the petitioner, dated 10.01.2015 on the file of the fourth respondent.

2. The petitioner has averred in his affidavit that originally he bought the property, bearing Survey No.267/14, 267/6, 267/8 in Thandalai village, Survey No.207/17, 387/7 and

189/1 situated at Kallaathur Keezhkudiyiruppu village, Udayarpalayam Taluk from one R.Ravichandran, by way of sale deed, dated 09.01.2015 registered as Document No.53/2015 before the SRO Jeyankondam. The petitioner further states that Patta No.2322 for Survey No.267/6, Patta No.2263 for Survey No.267/8, PattaNo.2321 for Survey No.267/14, stands in the name of Kasthuri, Vasantha, Varalakshmi, Sundari, Iyappan, Pattabiraman, Babylakshmi, Nagarajan, Ramesh Thiagarajan, Rajalakshmi, Ravichandran, Premkumar, Indira, Usha, Revathy. However, the said Rajalakshmi, Premkumar, Indira, Usha, Revathy alone executed the settlement deed in favour of Mr.Ravichandran, dated 10.01.2014, vide registered Document No.52/2014 before the SRO, Jeyankondam. Thereafter, the said Ravichandran executed a sale deed in favour of the petitioner by the above said registered sale deed. Subsequently, the above said Patta No.2322 for Survey No.267/6, Patta No.2263 for Survey No.267/8, Patta No.2321 for Survey No.267/14 were transferred in the name of the petitioner.

3. It is further stated by the petitioner that the property situated at Thandalai Village, bearing Patta No.581 for Survey No.387/7 (189/1), Patta No.1565 for Survey No.207/17, were also bought by the petitioner from the above said Ravichandran, vide Sale Deed No.53 / 2015 registered on 09.01.2015. Thereafter, when the petitioner approached the second and third respondent for transfer of patta in the name of the petitioner, in respect of said survey numbers, no action has been taken by the respondents. Then the petitioner had given a representation, dated 10.01.2015 to the second and fourth respondents and on 08.05.2015 to the first respondent and finally on 22.06.2015 to the first respondent gave a representation at Jamabandhi conducted at Taluk Office, but the first and third respondent did not take any action on the representation of the petitioner for the transfer of patta in the name of the petitioner. Moreover, the representation submitted to the second and fourth respondent did not yield any result and the respondents are unnecessarily dragging the issue. Hence, the petitioner has approached this Court, by way of filing this writ petition, seeking for the relief as stated supra.

4. Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

5. Considering the facts and circumstances and after hearing the submissions of both sides and pursuing the material papers, without going into the merits of the matter, I am of the opinion to direct the fourth respondent to consider the representation of the petitioner and pass appropriate orders. Accordingly, the fourth respondent is directed to consider the representation of the petitioner, dated 10.01.2015, and pass appropriate orders, after affording reasonable opportunity of hearing to the

petitioner as well as to all the necessary parties, within a period of Eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not passed any order on merits and it is for the fourth respondent to decide the issue purely on merits and in accordance with law, after affording reasonable opportunity of hearing to all necessary parties.

6. With the above observations, this writ petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Revenue Secretary,
Government of Tamil Nadu,
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+1 cc to Government Pleader sr.17011

+1 cc to Mr.K.Ramanatha Reddy Advocate sr.16685

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