



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2016

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

Writ Petition (MD) No.7328 of 2014

S.Ramakrishnan

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Tahsildar,
Kumbakonam Taluk Office,
Kumbakonam,
Thanjavur District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to delete the names of the third parties and include the name of the petitioner and his family members names in the above said lands in S. No. 47/2 of Srinivasa Nallur Village Thirunageswaram Post Kumbakonam Taluk on the basis of the petitioner's representation dated 10.03.2014.

For Petitioner

: No appearance

For Respondents

: Mr.Aayiram K.Selvakumar,
Government Advocate.ORDER

The petitioner has filed this writ petition seeking for the issuance of a writ of mandamus, directing the second respondent to delete the names of the third parties and include the names of the petitioner and his family members in the revenue records relating to the lands in S.No.47/2, Srinivasa Nallur Village, Thirunageswaram Post, Kumbakonam Taluk on the basis of the petitioner's representation dated 10.03.2014.

2.It is stated in the affidavit filed in support of this writ petition that the above said lands originally belonged to the petitioner's maternal grandfather, K.Arumugam. According to the petitioner, one Chinnavel Padayachi has filed a suit in O.S.No.193 of 1974 on the file of the District Munsif, Valaingman which was also dismissed. The said judgment and decree was confirmed in A.S.No.78 of 1977 by the Appellate Court as well as by this Court in S.A.No.918 of 1979.

3.It was the specific contention of the petitioner that the names of the family members of the plaintiff in the suit have been wrongly included in the patta pertaining to the above said land, despite the above said judgment and decree. Though a

representation dated 10.03.2014 was submitted by the petitioner, no action was taken by the respondents.

4.Perusal of the records shows that on earlier occasion, this Court directed the petitioner to implead the persons in whose name, the revenue records stand. Despite specific direction issued by this Court to implead necessary parties, the petitioner has not taken any steps.

5.When the matter came up for hearing on 11.07.2016 and 27.07.2016, none appeared for the petitioner. However, the matter was adjourned keeping in view, a direction could be issued to the respondents to consider the representation of the petitioner, dated 10.03.2014.

6.Considering the facts alleged in the affidavit filed in support of this writ petition, this Court deems it fit and appropriate to direct the second respondent to consider the representation of the petitioner dated 10.03.2014 and pass appropriate orders on merits and in accordance with law, after issuing notice to the persons in whose names the patta stands earlier, as alleged by the petitioner.

7.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Tahsildar,
Kumbakonam Taluk Office,
Kumbakonam,
Thanjavur District.

+One cc to Mr.G.Gomathi Shankar, Advocate, SR.No.40534

+One cc to The Special Government Pleaser, SR.No.40563

sms

RL/5C/2P/DB/5/8/2016

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