



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 27.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.11392 of 2016

N.Ramalakshmi

..Petitioner

Vs

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Revenue Divisional Officer,
Tirunelveli,
Tirunelveli District.

3.The Tahsildar,
Sankarankovil Taluk Office,
Tirunelveli District.

4.The Tahsildar,
Thiruvengadam Taluk Office,
Tirunelveli District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the fourth respondent to consider the application given by the Petitioner, dated 11.5.2016 along with the application dated 30.5.2013 for including the name of the Petitioner along with other legal heirs of Late. Sri.Narasimma Nayackar in the patta issued in respect of his properties situated in North Kuruvikulam and South Kuruvikulam, Tirunelveli District.

For Petitioner :M/s.M.Gnanagurunathan

For Respondents :Mr.S.Kumar

Addl.Govt.Pleader

ORDER

Heard both sides.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3.No counter is filed on behalf of the respondents.

4.The grievance of the Petitioner is that he made representation to the Second Respondent on 30.5.2013 to include the names of other legal heirs including him in respect of properties of the Petitioner's father situated in North



Kuruvikulam in S.Nos.95/6, 109/7A, 109/7B, 113/1, 123/31, 137/1A, 310/6, 336/3A, 249/5, 257/2, 365/2, 365/4, 94/3, 94/4, 94/1, 97/10, 141/6/141/8 and 471/10 and in respect of the Petitioner's properties situated in South Kuruvikulam in S.Nos.215/8, 283/3, 181/5, 181/7B, 242/6, 282/5B, 282/6, 283/2A, 283/5 and 283/A0. It appears that the representation of the Petitioner is pending as on date without any progress or disposal.

4. It transpires that when the Petitioner had sought for information under Right to Information Act, the Second Respondent through his letter, dated 2.7.2014 had informed that his application was forwarded to the office of the Third Respondent for further action. Even after a lapse of two years, there is no action on the part of the Third Respondent and therefore, the Petitioner has projected the present Writ Petition, seeking necessary reliefs as stated supra.

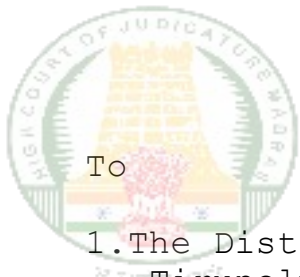
5. In view of the fact that the Petitioner's representation, dated 30.5.2013 is pending on the file of the Third Respondent and another application dated 11.5.2016 on the file of the Fourth Respondent, this Court, at this stage, without expressing any opinion on the merits and contents of the representation, dated 3.3.2016, simpliciter, in the interest of justice, Equity, Fair Play, Good Conscience and even as a matter of prudence, directs the Fourth Respondent to look into the representations of the Petitioner, dated 30.05.2013 and 11.6.2013 with all earnestness and seriousness and that too, in an open, fair, free and dispassionate manner and to dispose of the same within a period of six weeks from the date of receipt of a copy of this order. (of course after providing necessary opportunity to the Petitioner and others concerned, if any by adhering to the principles of natural justice in true letter and spirit). It is open to the Petitioner to produce copies of all necessary/relevant documents before the Fourth Respondent/The Tahsildar, Thiruvengadam Taluk Office, Tirunelveli District and the Fourth Respondent shall take into consideration of the same at the time of disposal of the representation of the Petitioner, dated 30.05.2013 and 11.6.2013. The Petitioner is also given liberty to file necessary application/Petition in the prescribed format under the Tamil Nadu Patta Pass-book Act, 1983 in regard to the grant of patta by adhering to the rules and regulations that are in force and also in accordance with law.

6. With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(W)

/True Copy/



To

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Revenue Divisional Officer,
Tirunelveli,
Tirunelveli District.

3.The Tahsildar,
Sankarankovil Taluk Office,
Tirunelveli District.

4.The Tahsildar,
Thiruvengadam Taluk Office,
Tirunelveli District.

+1cc to M/s.G.Ganagurunathan, Advocate in SR.33376
+1cc to the Special Government Pleader, in SR.33387

W.P(MD)No.11392 of 2016
27.06.2016

vsn

PBK/SK-SKN 04/07/2016 ::3P-7C::