



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

Writ Petition (MD). No.12371 of 2016
and
W.P. (MD).No.9391 of 2016

K.Sivasamy

... Petitioner

Vs.

- 1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Karur.
- 2.The Tahsildar,
Taluk Office,
Karur.
- 3.V.Nagaraj

... Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd respondent herein not to alter the patta in patta No. 663 without conducting any proper enquiry in accordance with law in respect of the property situated in S.No.420 to an extent of 4.76 acre situated at Thanthoni Village, Karur Taluk, Karur District.

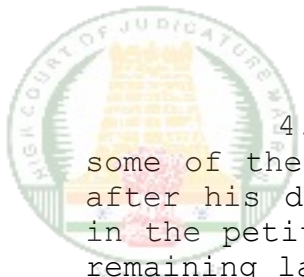
For Petitioner :Mr.S.Gokul Raj
For Respondent :Mr.N.S.Karthikeyan
Additional Govt. Pleader

O R D E R

Heard the Learned Counsel for the Petitioner and the Learned Additional Government Pleader.

2. To avoid an avoidable delay, notice to the 3rd respondent is dispensed with.

3. According to the petitioner, the property in Sy.No.420 in patta No.663, measuring an extent of 4.76 acre situated at Thanthoni Village, Karur Taluk, Karur District, originally belongs to his father A.Kandhasamy and he succeeded to the same in an ancestral fashion. His father through his power of attorney, Kumarasamy created a lay out during the year 1986 in the aforesaid land, as per rules with an intention to obtain necessary approval. Some portion of the said land was earmarked for the purpose of Play Ground, Library, Park, School and Temple and it is necessary for obtaining lay out approval.



4. It comes to be known that the petitioner's father had sold some of the plots in the aforesaid land (during his lifetime) and later, after his demise, patta in respect of the aforesaid land was transferred in the petitioner's name (from that of his father's name) and he sold the remaining land in the above said survey number to third parties.

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5. It appears that the petitioner has submitted a representation, dated 28.06.2016 to the respondents requesting them not to act on the petition of unconnected persons and also not to take further action in this regard and also not to change the patta.

6. In view of the fact that the petitioner's representation dated 28.06.2016 is pending before the 2nd respondent/Tahsildar, Karur, without any disposal or progress, till this date, at this stage, this Court, without expressing any opinion on the merits and demerits of the contents of the representation of the petitioner dated 28.06.2016, simpliciter, directs the 2nd respondent, to look into the representation of the petitioner dated 28.06.2016 and dispose of the same by passing a reasoned, speaking order (of course, after providing adequate opportunity to the petitioner and others concerned, if any, by following the principles of Natural Justice), within a period of four weeks from the date of receipt of copy of this order.

7. With the aforesaid observation(s) and direction(s), the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Karur.

2.The Tahsildar,
Taluk Office,
Karur.

+1CC to M/S.S.Gokulraj, Advocate, SR.No. 36582
+1CC to the Special Government Pleader, SR.No. 37151

Writ Petition (MD).No.12371 of 2016

vs

AM/NGM.MP/SAR-I/21.07.2016/2P/5C