

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.03.2017

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P. No. 5376 of 2017

B. David Selvadurai

.. Petitioner

Versus

1.The District Collector
Kancheepuram,
Kancheepuram District.

2.The Tahsildar
Revenue Department
Madhuranthagam
Madhuranthagam Taluk
Kancheepuram District

3. Chandrammal ... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to dispose the petitioner's representation dated 8.6.2016.

For Petitioner : Mr.M.Sarfudeen Ali Ahamed

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader for RR1 and 2

ORDER

The petitioner seeks for issuing a Writ of Mandamus directing the second respondent to dispose the his representation dated 8.6.2016.

2. The petitioner claims that the property bearing Survey No.421/3A admeasuring 15 cents in Killyanagar Village, Maduranthagam, Kancheepuram District was owned and possessed by (i) Ponnianathan (ii) Kingsly (iii) Palraj (father of the petitioner and (iv) Jermiah and they have also obtained joint Patta in their name. Further, they have also obtained Chitta and Adangal extract in respect of the above property in their names jointly. After the death of the above said Ponnianathan, Kingsly and father of the petitioner namely Palraj, the uncle of the petitioner namely Jermiah alone was enjoying the property

till his life time. During his life time, the third respondent, who is the wife of Jermiah, has obtained patta in her name suppressing the fact that it was owned by three others, including the father of the petitioner. In such circumstances, complaining that the third respondent has no absolute right and interest over the property and that the petitioner is also having a right over the property, a representation dated 08.06.2016 was sent to the second respondent seeking to cancel the patta issued in favour of the third respondent. As the representation dated 08.06.2016 has not been considered till date, the petitioner is before this Court with this writ petition.

3. I heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2. Having regard to the facts and circumstances of the case, without expressing any opinion on merits, the second respondent is directed to consider the representation dated 08.06.2016 of the petitioner after affording opportunity to him and the third respondent herein and thereafter pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The District Collector
Kancheepuram,
Kancheepuram District.

2.The Tahsildar
Revenue Department
Madhuranthagam
Madhuranthagam Taluk
Kancheepuram District

+2ccs to M. sarfudeen Ali Ahamed, Advocate Sr. 18143

W.P.No.5376 of 2017

SK(CO)
VR(18/04/2017)