

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2017

CORAM

THE HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.No.5438 of 2017

C.Venkatesh

... Petitioner

vs.

1.The Thasildar,
Hosur Town,
Hosur,
Krishnagiri District.

2.C.P.Munikrishnappa

3.C.Ramakrushnappa

4.P.Subramani

5.Muninagamma

6.Muniagamma

7.Anitha

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the 1st respondent to cancel the 2 to 7 respondents' name in Patta No.199 with respect to S.No.461/9 alone and to issue patta to the petitioner in respect of the property situated in S.No.461/9 to an extent of 0.23 cents alone in Mornapalli village, Hosur Taluk, based on the representation dated 25.07.2016.

For Petitioner : Mr.P.Sureshbabu

For Respondents : Mr.S.N.Parthasarathi,
Government Advocate (R1)

ORDER

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the 1st respondent to cancel the names of the respondents 2 to 7 in Patta No.199 with respect to S.No.461/9 alone and issue patta to the petitioner in respect of the said property to an extent of 0.23 cents alone in Mornapalli Village, Hosur Taluk, based on the representation dated 25.07.2016.

2.Mr.S.N.Parthasarathi, learned Government Advocate, taking notice for the 1st respondent submitted that the authority, who has got jurisdiction to cancel the patta is the Revenue Divisional Officer and the petitioner has given the present representation only to that 1st respondent, the Tahsildar.

3.In view of the submissions made by the learned Government Advocate, I do not find any reason to issue mandamus to the 1st respondent, who has no jurisdiction to entertain the representation made by the petitioner. However, I give liberty to the petitioner to give fresh representation to the Revenue Divisional Officer, Hosur, Krishnagiri Taluk and in the event of the petitioner giving a fresh representation to the Revenue Divisional Officer, the Revenue Divisional Officer shall consider the same and pass orders on merits and in accordance with law, after giving

notice to respondents 2 to 7, within a period of three months from the date of the representation given by the petitioner.

4. With this observation, the Writ Petition is disposed of. No costs.

Index : No
Internet : Yes
(si)

05.04.2017

To

1. The Thasildar,
Hosur Town,
Hosur,
Krishnagiri District.

M.DURAIWAMY,J.

(si)

W.P.No.5348 of 2017

05.04.2017

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