

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.25561 of 2013

T. Saraswathi

.. Petitioner

vs.

1. The District Collector
Ariyalur District
Ariyalur - 621 704.

2. The Revenue Divisional Officer
Revenue Divisional Officer
Ariyalur District.

3. N. Murugesan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the 2nd respondent herein to conduct the enquiry and dispose the same on the basis of the petitioner's representation dated 17.09.2012 within the time to be specified by this Court and pass further orders.

For Petitioner : Mr. R. Gokulakrishnan

For Respondent : Mr. S. Navaneethan,
Addl. Government Pleader for R1 & R2
No Appearance for R3

ORDER

The petitioner has filed this writ petition seeking for a direction to the 2nd respondent, to conduct the enquiry and dispose of his representation dated 17.09.2012 within the stipulated time.

2. Learned counsel for the petitioner submitted that the petitioner's husband passed away in the year 2012 and since then the petitioner is in possession and enjoyment of the

property. While the petitioner approached the Revenue authorities to change the patta to her name, standing in the name of her husband, she found that the name of the patta stands in the name of the 3rd respondent. It is alleged that the respondents, without issuing any notice to the petitioner has effected the change in the patta to the 3rd respondent. Hence, the petitioner made an application to the 2nd respondent, seeking to retain her name in the patta. But, the same was rejected by the 2nd respondent vide his Memo No. 11916/2012 (A5) dated 22.10.2012 against which the petitioner made a representation on 12.11.2012, to the 1st respondent, through registered post. The 1st respondent forwarded the said representation of the petitioner to the 2nd respondent for consideration and disposal. However, no orders have been passed on the representation. Hence, the petitioner has filed the present writ petition.

3. Learned Additional Government Pleader would submit that as stated by the petitioner, if the representation of the petitioner dated 12.11.2012 is still pending, the same would be considered, in accordance with law.

4. Heard Mr. R. Gokulakrishnan, learned counsel for the petitioner and Mr. S. Navaneethan, Additional Government Pleader for the respondents 1 and 2.

5. Considering the facts and circumstances of the case, this Court is inclined to direct the 2nd respondent, to consider the representation dated 17.09.2012 of the petitioner, if it is in order, on merits and in accordance with law, as expeditiously as possible, not later than twelve weeks from the date of receipt of a copy of this order, after providing an opportunity to the parties concerned.

6. The Writ Petition is disposed of, on the above terms. No costs.

सत्यमेव जयते

-s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

1. The District Collector
Ariyalur District
Ariyalur - 621 704.

2. The Revenue Divisional Officer
Revenue Divisional Officer
Ariyalur District.

+1 CC to Mr. S. Gunalan, Advocate sr 1574
+1 CC to The Govt. Pleader sr 2073

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NMI (CO)
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