



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.14929 of 2015

B.Venkatasamy @ Joseph

... Petitioner

Vs.

1.The Thasildar,
Kariyapatti Taluk,
Kariyapatti
Virudhunagar District.

2.Saroja

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider and pass orders on the petitioner's representation, dated 30.07.2014 for issuance of patta in Petitioner's name for the land in Suvey No. 245/9 and New No. 245/18 of K.Sevalpatti , H/O. K.Karisalkulam, Kariapatti Taluk of Virudhunagar District by cancelling the Patta No. 1163 issued to the second respondent within the time limit that may be stipulated by this Hon'ble Court.

For Petitioner	: Mr.M.Mohanasundaram
For R.1	: Mr.J.Gunaseelan Muthiah, Government Advocate
For R.2	: Mr.G.Mariappan

O R D E R

This writ petition has been filed, seeking to direct the first respondent to consider the petitioner's representation dated 30.07.2014 to cancel the Patta No.1163 issued to the second respondent and thereby, for issuing a fresh patta in his name.

2. Heard the learned counsel on either side.

3. The case of the petitioner is that the property in question belongs to the petitioner, but the patta stands in the name of the second respondent. Therefore, he has submitted a representation dated 30.07.2014 to the first respondent for appropriate action. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.



4. When the matter is taken up for hearing, the learned Counsel for the petitioner would submit that it would be suffice, if the representation dated 30.07.2014 submitted by the petitioner may be directed to be considered by the first respondent.

5. Considering the limited scope of the relief sought for by the petitioner, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner, dated 30.07.2014 and pass appropriate orders thereon, if not already passed, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, second respondent as well as other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this petition is disposed of.
No costs.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar.

To:

The Thasildar,
Kariyapatti Taluk,
Kariyapatti
Virudhunagar District.

+1CC to Mr.M.Mohana Sundaram, Advocate, SR.No. 86995
+1CC to Mr.G.Mariappan, Advocate, SR.No. 86657
+1CC to the Special Government Pleader SR.No.87016

W.P(MD)No.14929 of 2015
13.11.2017

rm
AM/GT/SAR 4/24.11.2017/2P/5C