



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.06.2017**

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

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W.P. (MD) No. 10803 of 2017

V. Athinarayanan

.. Petitioner

-Vs-

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The District Revenue Officer,
Sivagangai Taluk,
Sivagangai District.

3. The Revenue Divisional Officer,
Sivagangai Taluk,
Sivagangai District.

4. The Tahsildar (Revenue),
Sivagangai Taluk,
Sivagangai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 14.03.2017.

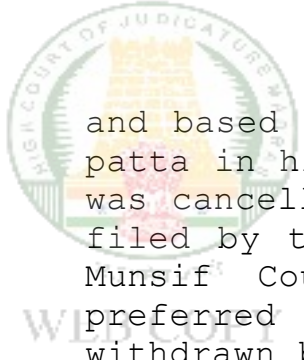
For Petitioner : Mr. C. Jawahar Ravindran
For Respondents : Mr. D. Muruganandham
Additional Government Pleader

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation, dated 14.03.2017 in a time frame.

2. According to the petitioner, the land to an extent of 1.26 acres in Survey No. 169/2 originally belongs to one Ramanathan, S/o. Pandithan. He was issued patta in patta No. 1074. On 07.07.2000, the petitioner purchased the land by a registered sale deed and since then he has been in possession and enjoyment of the property.

3. The petitioner would alleged that one Aathan, S/o. Subban who has no right over the property have created forged document



and based on the document applied to the third respondent and got patta in his favour. The patta issued in favour of the said Aathan was cancelled by the second respondent on 28.11.2000. A civil suit filed by the said Aathan in O.S.No.3 of 2001 before the District Munsif Court, Sivagangai was also dismissed and the appeal preferred by him in A.S.No.54 of 2008, which was subsequently withdrawn by him.

4. The grievance of the petitioner is that though the second respondent had cancelled the patta issued in favour of the said Aathan on 28.11.2000, the third respondent has not removed his name from the patta and as on date the patta stands in the name of the said Aathan. Hence, the petitioner sent representations to the respondents dated 04.07.2014, 14.07.2014, 06.03.2017 and 14.03.2017. Since no action was taken, the present writ petition is filed.

5. Heard both sides and perused the materials available on record.

6. Considering the limited prayer sought for in this writ petition, this Court without going into the merits of the case, directs the third respondent to consider the representation of the petitioner, dated 14.03.2017 and pass orders on merits and in accordance with law, after providing opportunities to the necessary parties within a period of eight weeks from the date of receipt of the copy of this order.

7. With the above direction, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To:

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The District Revenue Officer,
Sivagangai Taluk,
Sivagangai District.

3.The Revenue Divisional Officer,
Sivagangai Taluk,
Sivagangai District.



4.The Tahsildar (Revenue),
Sivagangai Taluk,
Sivagangai District.

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+1 CC to M/s.C.JAWAHAR RAVINDRAN, Advocate, SR No. 59324.
+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 59648.

PJL

PSM/SKN/SAR2/28.06.2017/3P/7C

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