



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2017

CORAM:

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) No.11527 of 2017

WEB COPY

C.Nagarajan

... Petitioner

-vs-

1.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

2.The Tahsildar,
Usilampatti Taluk,
Madurai District.

3.Muthusamy

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to implead the petitioner as one of the party in his proceedings of Na.Ka.No.3279/2015/A2, dated 08.09.2016.

For Petitioner : Mr.R.Murugappan

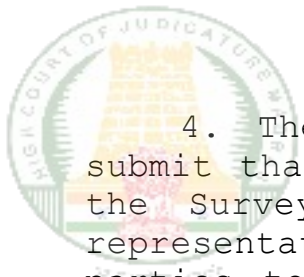
For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader
for R.1 and R.2

O R D E R

The prayer in the writ petition is for issuance of Writ of Mandamus directing the first respondent to implead the petitioner as one of the parties in his proceedings in Na.Ka.No.3279/2015/A2, dated 08.09.2016.

2. According to the petitioner, he is the owner of the property in Survey No.174/20 by virtue of Inam settlement deed dated 20.12.2013 registered as document No.2349 in the Sub Registrar Office, Chekkanurani, Madurai District.

3. It is the further case of the petitioner that he has been in possession and enjoyment of the land; since it was disturbed by the third parties, a civil suit in O.S.No.159 of 2015 was instituted before the District Munsif Court, Usilampatti and the same is still pending. While so, the third respondent gave a representation to the first respondent for transfer of patta in his favour.



4. The learned Counsel appearing for the petitioner would submit that since the petitioner is the owner of the property in the Survey Number referred above, the petitioner has sent a representation dated 20.06.2017 to implead him as one of the parties to the proceedings. It is further submitted that since the first respondent has not passed any orders, the present Writ Petition has been filed by the petitioner.

5. The learned Counsel appearing for the petitioner further submitted that the proceedings are still pending and it is posted to 23.06.2017.

6. Heard the learned Additional Government Pleader who takes notice for the respondents 1 and 2.

7. Considering the facts of this case and the submissions of the learned Counsel appearing for the petitioner, this Court, without going into the merits of the case, directs the first respondent to consider the representation of the petitioner dated 20.06.2017 and pass orders on merits and in accordance with law as expeditiously as possible, after providing opportunity to all the necessary parties.

8. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl side)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

2.The Tahsildar,
Usilampatti Taluk,
Madurai District.

+1cc to M/S.R.MURUGAPPAN, Advocate SR.No.61460

+1cc to Special Government Pleader, SR.No.61860

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MAS/MR-KKR/SAR2:12.07.2017:2P-5C

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22.06.2017