



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.14016 of 2017 and
W.M.P.(MD) No.10954 of 2017

Muthuvellai

... Petitioner

-vs-

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3. The Tahsildar,
Karipatti Taluk,
Virudhunagar District.

4. The Secretary,
Kalaimagal Saba,
Tiruchengodu Taluk,
Kumarapalayam,
Salem District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, forbearing the respondents 1 to 3 from in any way changing or taking any action in respect of the Patta No.209 standing in the name of Arunachalam comprised in S.No.8/5, 12/10, 6/4 situated at S.Pudur, Manangathan, Kariapatti Taluk, Virudhunagar District, on the basis of the representation dated 17.7.2017 given by the petitioner.

For Petitioner	: Mrs.A.S.Rajeswari
For Respondents	: Mr.A.Muthukaruppan
1 to 3	Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking to forbear the respondents 1 to 3 from in any way changing or taking any action in respect of the Patta No.209 standing in the name of Arunachalam comprised in S.No.8/5, 12/10, 6/4 situated at S.Pudur, Manangathan, Kariapatti Taluk, Virudhunagar District, on the



basis of the representation dated 17.7.2017 given by the petitioner.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The case of the petitioner is that the property in question originally belonged to his grandfather and after his death, it devolved upon his father. While so, one Alagu Thevar created bogus and fabricated documents in respect of the property, as if it was sold to the fourth respondent and the father of the petitioner also lodged a complaint in this regard, which was registered as Crime No.16 of 2013. In the meanwhile, his father died on 04.03.2017, leaving his wife/mother of the petitioner, petitioner and brother and sister of the petitioner as legal heirs. It is the further case of the petitioner that taking advantage of the death of his father, the henchmen of the fourth respondent are taking steps to grab the property by getting the patta transferred in their name. The petitioner, after taking several steps to prevent the same, has finally approached this Court with the above prayer.

4. Though the relief sought for in this writ petition is for prevention of the fourth respondent from illegally transferring the patta, which stands in the name of the father of the petitioner, the learned counsel for the petitioner has confined the same to the extent of consideration of the representation of the petitioner dated 17.07.2017.

5. Under such circumstances, this Court, without going into the merits of the matter, directs the concerned respondent, who is competent to take a decision in this matter, to consider the representation of the petitioner dated 17.07.2017 and pass necessary orders thereon within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner, contesting respondents and other interested parties, if any.

6. With the above direction, this petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.



To:

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3. The Tahsildar,
Karipatti Taluk,
Virudhunagar District.

+1CC to the Special Government Pleader SR.No.69323

W.P (MD) No.14016 of 2017
28.07.2017

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AM/MR KKR/SAR 2/04.08.2017/3P/5C