



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.23745 of 2017

C.Saral

... Petitioner

Vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.

2. The Revenue Divisional Officer,
Tenkasi,
Tirunelveli District.

3. The Tahsildar,
Sivagiri,
Tirunelveli District.

4. Muthaiah @ Skylap

... Respondents

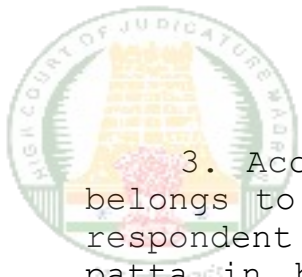
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.11.2017 and to take appropriate action based on the petitioner's above representation dated 21.11.2017, within the time limit that may be stipulated by this Hon'ble High Court.

For Petitioner	: Mr.M.S.Jeyakarthik
For Respondents	: Mr.M.Alagathevan, Special Government Pleader for R.1 to R.3

ORDER

By consent, this writ petition is taken up for final disposal at the stage of admission itself.

2. Mr.M.Alagathevan, learned Special Government Pleader, takes notice for the respondents 1 to 3. Notice to the fourth respondent is dispensed with, as no adverse order is going to be passed and opportunity of hearing will be provided, by the authorities concerned, at the time of hearing.



3. According to the petitioner, the subject mentioned property belongs to herself and her brother, Jeyaseelan, whereas, the fourth respondent herein, creating some forged documents, has obtained patta in his name, thereby, mutated the revenue records. In the meanwhile, according to the petitioner, without her knowledge, the fourth respondent has filed two suits in O.S.Nos.2 of 2013 and 103 of 2014, adding her as one of the plaintiffs and the same are pending. Pending disposal of the suits, the fourth respondent has executed a settlement deed No.1051 of 2015, in favour of one Pandiselvi, in respect of the property in dispute. In these circumstances, the petitioner has made a representation dated 21.11.2017, before the official respondents to cancel the patta, issued in favour of the fourth respondent and as the same is kept pending, without any action, she is before this Court with the aforesaid prayer.

4. When the matter is taken up for hearing today, the learned counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 21.11.2017 is disposed of, by the respondents 1 to 3, as per law, within a stipulated time limit.

5. Considering the facts and circumstances of the case and also the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the respondents 1 to 3 to consider the representation of the petitioner dated 21.11.2017 and pass appropriate orders, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner and the fourth respondent as well as all the other interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order, keeping in mind the pendency of the aforesaid suits.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tirunelveli District,
Tirunelveli.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Revenue Divisional Officer,
Tenkasi,
Tirunelveli District.

3. The Tahsildar,
Sivagiri,
Tirunelveli District.

+ 1 CC TO Mr.M.S.JEYAKARTHIK, ADVOCATE IN SR No. 94200
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 94823

GK

TE/KKR/SAR-1 : 08/01/2018 : 3P/6C

W.P (MD) No.23745 of 2017
21.12.2017