



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2017

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THE HON'BLE MR.JUSTICE K. RAVICHANDRABAABU

W.P. (MD) No. 24489 of 2016

and

W.M.P. (MD) No.17677 of 2016

K. Ahamed Hussain

... Petitioner

-Vs-

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Sub-Collector,
Cheranmahadevi,
Tirunelveli District.

3.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

4.Muthukrishnan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus directing the 3rd respondent to issue the patta having number 2031, pertaining the land to the extent of acre 2.58 in Survey No.935, acre 1.92 in Survey No.935/6 at Veppilankulam Village, Radhapuram Taluk, Tirunelveli District in the name of NEPC India Ltd by deleting the name of the 4th respondent from the above patta by considering the petitioner's representation dated 13.11.2016.

For Petitioner : Mr. S.R. Anbarasu

For Respondents 1 to 3 : Mr. C. Selvaraj
Special Government Pleader

For Respondent No.4 : No Appearance

O R D E R

The petitioner seeks for a mandamus directing the third respondent to issue patta pertaining to the land measuring in extent of 2.58 acres in Survey No.935 and measuring 1.92 acres in Survey No.935/6 at Veppilankulam Village, Radhapuram Taluk,



Tirunelveli District in the name of NEPC India Ltd by deleting the name of the 4th respondent from the above patta by considering the petitioner's representation dated 13.11.2016.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3. Though notice was served on the fourth respondent, he has not chosen to appear either in person or through counsel and the name of the fourth respondent is printed in the cause list.

3. It is seen that the petitioner seeks for transfer of patta in the name of NEPC India Ltd, he being power of attorney of such company. It appears that patta is standing in the name of the fourth respondent which is sought to be deleted by the petitioner. It appears that the petitioner has already made a representation to that effect on 03.11.2016 before the third respondent. Therefore, it is for the third respondent to consider such request and pass orders on the same on merits and in accordance with law after hearing the fourth respondent as well as other interested parties, if any. Therefore, without expressing any view on the claim made by the petitioner, I only direct the third respondent to consider the representation of the petitioner dated 13.11.2016 and pass orders on the same on merits and in accordance with law after hearing the fourth respondent as well as other interested parties, if any. Such exercise shall be done by the third respondent within a period 12 weeks from the date of receipt of copy of this order.

4. With the above direction, this writ petition is disposed of. No costs. Consequently, connected W.M.P.(MD) No. 17677 of 2016 is closed.

Sd/-

Assistant Registrar(c)

/True Copy/

Sub Assistant Registrar

To:

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Sub-Collector,
Cheranmahadevi,
Tirunelveli District.



3.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

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+1cc to Mr.S.R.Anbarasu, Advocate Sr.No.6966
+1cc to special Government Pleader sR.No.6903

CM

SM:JM:17.02.2017:3p/6c

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and
W.M.P. (MD) No.17677 of 2016
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