



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.7514 of 2016

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G.Gurunathan

... Petitioner

Vs.

1.The Chief Secretary to the Government of Tamil nadu,
George St. Fort,
Chennai.

2.The Commissioner of Land Administration,
Chepauk, Chennai.

3.The District Collector
Virudhunagar District.

4.District Revenue Officer
Virudhunagar.

5.Revenue Divisional Officer
Virudhunagar.

6.Tahsildar
Taluk Office,
Tiruchuli,
Virudhunagar District.

7.M.Ramanujam

8.M.Selvam

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records in a U.D.R. Patta Bearing No.81 in Survey No.195/5, 195/13, 195/14, 195/15, 195/16, 195/34 and direct the Respondents 1 to 6 to cancel the same obtained by the respondents 7 and 8.

For Petitioner : Mr.M.Erulappa Raja
For Respondents 1 to 6: Mr.J.Gunaseelan Muthiah,
Government Advocate

O R D E R

<https://hcservices.ecourts.gov.in/hcservices/>
By consent, this Writ Petition itself is taken up for final disposal at the stage of admission itself.



2. Mr.J.Gunaseelan Muthiah, learned Government Advocate takes notice for the respondents 1 to 6. Notice to the respondents 7 and 8 is dispensed with, as no adverse order is going to be passed against them.

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3. According to the petitioner, he is appointed as in-charge of Arulmigu Paranjothi Vinayagar Temple and the seventh respondent creating some forged documents had obtained patta in respect of the Temple promboke lands. Therefore, the petitioner has submitted a representation dated 27.01.2016 before the respondents 1 to 6, to cancel the patta obtained by the respondents 7 and 8. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.

4. The learned Counsel for the petitioner would submit that it would suffice, if the representation dated 27.01.2016 submitted by the petitioner to the respondents 1 to 6, is directed to be considered by the fourth respondent.

5. The learned Government Advocate appearing for the respondents 1 to 6 would submit that the fourth respondent is the competent authority and if reasonable time is granted to him, appropriate orders will be passed on the representation of the petitioner dated 27.01.2016.

6. In view of the above submission and also considering the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the petitioner's claim, directs the fourth respondent, to consider the representation of the petitioner dated 27.01.2016 and pass suitable orders thereon, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner, respondents 7 and 8 as well as other interested parties, if any.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To:

<https://hcservice.cch.gov.in/hcservices>
The Chief Secretary to the Government of Tamil nadu,
George St. Fort,
Chennai.



2.The Commissioner of Land Administration,
Chepauk, Chennai.

3.The District Collector
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5.Revenue Divisional Officer
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6.Tahsildar
Taluk Office,
Tiruchuli,
Virudhunagar District.

+1cc to Mr.M.ERULAPPARAJA,Advocate,SR. 90319

+1cc to M/S.Special Government Pleader,SR. 90522

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RM

KK/SV MMS/SAR 3/11.12.2017/ 3P- 9C/