



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2017

CORAM

WEB COPY

THE HON'BLE MRS.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.5528 of 2011

and

MP (MD) No.1 of 2011

Saminathan

: Petitioner

-vs-

1. The District Collector,
Thanjavur District,
Thanjavur.

2. The Tahsildhar,
Papanasam Taluk,
Thanjavur District.

3. The Firka Surveyor,
Taluk Office,
Papanasam,
Thanjavur District.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the 2nd respondent to consider the petitioner's representation, dated 20.04.2011.

For Petitioner : Mr.M.Sankaralingam
for Mr.M.Rajarajan

For Respondents : Mr.G.Muthukannan
Government Advocate

O R D E R

The writ petition has been filed to direct the 2nd respondent to consider the petitioner's representation, dated 20.04.2011.

2.The petitioner would claim that his mother Kunjammal purchased lands to an extent of 22 cents in S.F.No.444-18 at Valkai Village, Papanasam Taluk, Thanjavur District, through a registered sale deed, dated 05.03.1970. Ever-since, the property has been in possession and enjoyment of the petitioner and his mother Kunjammal.



3.The petitioner would state that the 2nd respondent issued patta in the year 2011 to an extent of 19 cents, instead of 22 cents. Hence, the petitioner made representations, dated 26.12.2001, 31.05.2006 and 12.03.2010 and thereafter, filed W.P (MD)No.12157 of 2010. As per the direction issued in the above writ petition, the 2nd respondent issued a joint patta for remaining 3 cents. Therefore, the petitioner made representations, dated 14.02.2011 and 24.02.2011 to issue separate patta for the above said three cents, for which necessary charges also paid on 14.02.2011. Since no action has been taken so far, the present writ petition is filed.

4.Heard Mr.M.Sankaralingam, learned counsel for the petitioner and Mr.G.Muthukannan, learned Government Advocate for the respondents and perused the materials available on record.

5.Considering the nature of the prayer sought for in this writ petition, without going into the merits of the case, this writ petition is disposed of with a direction to the 2nd respondent to consider the representation of the petitioner, dated 20.04.2011 and pass suitable orders purely on merits and in accordance with law, within a period of eight weeks from the date of receipt of the order copy, after providing opportunity of hearing to the petitioner as well as the necessary parties, if any. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To,

1. The District Collector,
Thanjavur District,
Thanjavur.
2. The Tahsildhar,
Papanasam Taluk,
Thanjavur District.
3. The Firka Surveyor,
Taluk Office,
Papanasam,
Thanjavur District.

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**W.P. (MD) No.5528 of 2011
17.08.2017**