

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2018

CORAM

THE HON'BLE Mr. JUSTICE K.RAVICHANDRABAABU

W.P.No.3041 of 2018

K.K.Karuppusamy

... Petitioner

Vs.

1. The District Collector,
Tirupur District, Tirupur.
 2. The Tahsildar,
Tirupur-South Taluk,
Tirupur.
 3. The Village Administrative Officer,
Iduvai Village, Tirupur-South Taluk,
Tirupur.
- ... Respondents

This writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent herein to consider and dispose of the petitioner's application forwarded by the 1st respondent herein dated 17.04.2017 in accordance with law.

For Petitioner : Mr.M.Duraiswamy

For Respondents: Mr.D.Suriyanarayanan,
Additional Government Pleader

O R D E R

Mr.D.Suriyanarayanan, learned Additional Government takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal.

2. The petitioner seeks for a direction to the 2nd respondent to consider his application dated 17.04.2017, wherein and whereby, he sought for inclusion of his name also along with others in patta No.438 by claiming that the petitioner is also having a share in the said property. It is stated that the said request of the petitioner has not been considered by the 2nd respondent so far and on the other hand, the 2nd respondent has directed the petitioner to approach the Village Administrative Officer of the concerned Village.

3. Learned counsel for the petitioner submitted that when the petitioner has made a request to include his name in the said patta along with others as joint owners, the 2nd respondent himself should have considered the said request without directing the petitioner to approach the 3rd respondent.

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner as it is for the 2nd respondent to consider and decide. Therefore, this writ petition is disposed of by directing the 2nd respondent to consider the application of the petitioner dated 17.04.2017 and pass order on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner and other parties whose names were already found in the patta and also the other interested parties, if any. Such exercise shall be done by the 2nd respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

vsi

To

1. The District Collector,
Tirupur District, Tirupur.
2. The Tahsildar,
Tirupur-South Taluk,
Tirupur.
3. The Village Administrative Officer,
Iduvai Village, Tirupur-South Taluk,
Tirupur.

+1cc to Mr.DURAI SWAMY Advocate, S.R.No. 10497
+1cc to the Government Pleader, S.R.No. 10947

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TR(21/02/2018)