

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.02.2018
CORAM
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.3568 of 2018

C.Mani .. Petitioner
Versus

1.The District Collector,
Krishnagiri.

2.The District Revenue Officer,
Krishnagiri.

3.The Revenue Divisional Officer,
Hosur,
Krishnagiri Distict.

4.The Tasildar,
Hosur,
Krishnagiri District.

5.Vijay

6.Chinnamari .. Respondents

Prayers: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents 1 to 4 to cancel the Patta in favour of 5 and 6 respondents and also to issue Patta in favour the Petitioner in Survey No.68/1A, an extent of 255 square metres (2420 Square feet) in Keelsoodapuram Village, Belathur Post, Hosur Taluk, Krishnagiri District.

For Petitioner : Mr.C.Samivel

For Respondents : Mr.E.Balamurugan

Special Government Pleader for R1 to R4

O R D E R

Mr.E.Balamurugan, the learned Special Government Pleader takes notice for the respondents 1 to 4. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking for a issuance of writ of mandamus, directing the respondents 1 to 4 to cancel the Patta in favour of the respondents 5 and 6 and also to issue Patta in favour the Petitioner in Survey No.68/1A, to an extent of 255 square metres(2420 Square feet) in Keelsoodapuram Village, Belathur Post, Hosur Taluk, Krishnagiri District.

3. The case of the petitioner is that the property in Survey No.68/1A in Keelsoodapuram Village, Belathur Post, Hosur Taluk, Krishnagiri District, measuring to an extent of 2420 Square feet, belongs to his ancestors property. The petitioner became the owner of the property, by virtue of gift deed executed by his father and registered as Document No.9982, dated 22.06.2015.

4. The grievance of the petitioner is that the respondents 5 and 6 have no right or title over the property, however, their names were wrongly included in the Patta. Hence, the petitioner's father sent a representation dated 17.3.2014, after execution of the settlement deed. The representations of the petitioner dated 15.2.2016, 19.4.2016 and 8.8.2016 were not considered by respondents 1 to 4. Hence the present writ petition.

5. The learned Special Government Pleader for the respondents 1 to 4 submitted that the third respondent Revenue Divisional Officer is the competent authority to redress the grievance of the petitioner and if a fresh representation is given, it would be considered in accordance with law.

6. In the light of the limited prayer sought for in this writ petition and the submissions of the learned Special Government Pleader, this Court, without going into the merits of the case, directs the petitioner to give a fresh representation to the third respondent within a period of two weeks from the date of receipt of a copy of this order, by enclosing a copy of this order and relevant documents. On such receipt, the third respondent shall pass appropriate orders on the representation of the petitioner, on merits and in accordance with law, after providing an opportunity to all necessary parties, within a period of four months therefrom.

8. With the above observation and direction, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

gmd/ms

To

1.The District Collector,
Krishnagiri.

2.The District Revenue Officer,
Krishnagiri.

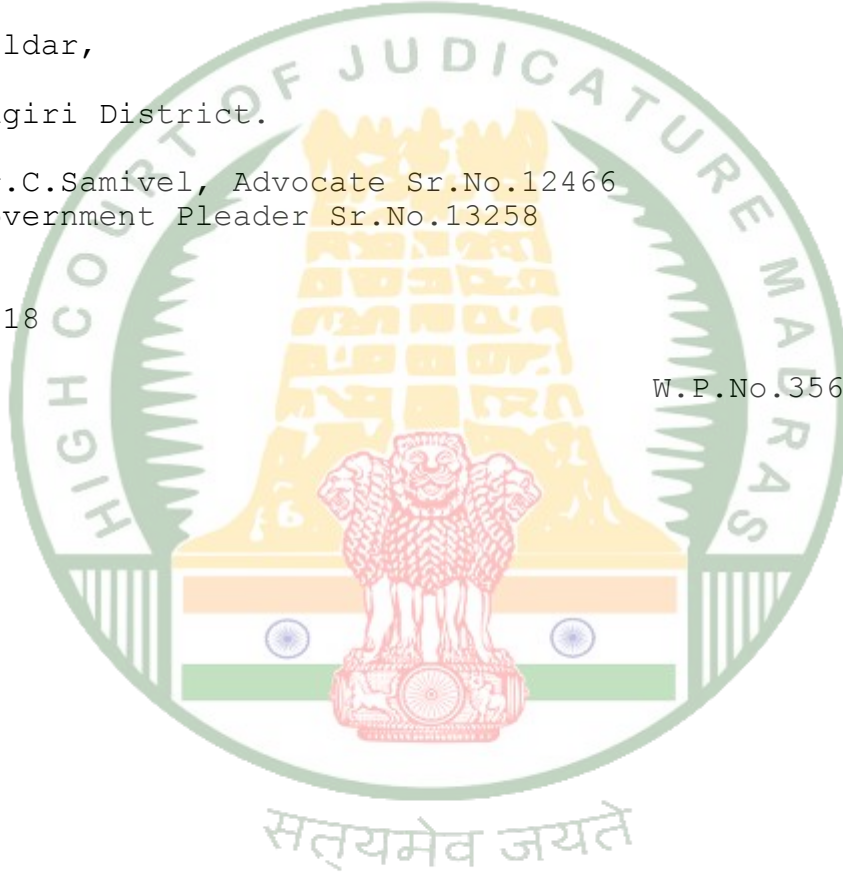
3.The Revenue Divisional Officer,
Hosur,
Krishnagiri Distict.

4.The Tasildar,
Hosur,
Krishnagiri District.

+lcc to Mr.C.Samivel, Advocate Sr.No.12466
+lcc to Government Pleader Sr.No.13258

VGI (CO)
sm:14.3.2018

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