

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.32390 of 2017

M.Periyasamy

.. Petitioner

Vs.

1. The Revenue Divisional Officer,
RDO Office, Udumalpet,
Thiruppur District.

2. The Tahsildar,
Madathukulam Taluk,
Thiruppur District.

3. Angamuthu

4. Natarajan

5. Swamiappan

6. Karuppasamy

7. Kaliammal

8. Nagarasu

9. Nagamanickkam

10.Nagalakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent herein to consider the representation of the petitioner herein dated 15.11.2017 and dispose of the same within an appropriate time.

For Petitioner :

Mr.R.Nalliyappan

For Respondents :

Mr.N.Shanmugasundar

Special Government Pleader

for RR 1 and 2

No appearance for RR 3 to 10

O R D E R

The prayer made in this writ petition is for a Mandamus seeking a direction to the second respondent to consider the representation of the petitioner dated 15.11.2017 and dispose of the same within a reasonable time.

2. With the consent of Mr.R.Nalliyappan, learned counsel for the petitioner and Mr.N.Shanmugasundar, learned Special Government Pleader appearing for the official respondents, this writ petition is taken up for final hearing.

3. The petitioner purchased the property comprised in S.F.No.71 measuring on 12.08.1996 from one Sarathambal and others by way of registered sale deed and he has been doing agricultural activities in the said land. The petitioner got the revenue records mutated in his favour. When the petitioner applied for patta for availing loan, a joint patta was issued favouring the petitioner and 12 others. Hence, the petitioner submitted representations to the second respondent and other officials for correcting the mistake crept-in in the patta on several occasions, and the last such representation dated 15.11.2017, which was sent through registered post and duly acknowledged by the respondents. Since there is no fruitful progress in such representation, seeking a direction to the second respondent to consider the representation, the petitioner is before this Court with this writ petition.

4. According to the learned counsel for the petitioner, the petitioner owns the subject land and sought for patta. Inadvertently, the names of the private respondents have been included in the patta given to him. Hence, he made the representation dated 15.11.2017 to correct the mistake and the official respondents are required to consider the same and pass orders in accordance with law, which they have not done so far.

5. In such circumstances, the second respondent is directed to consider the representation of the petitioner dated 15.11.2017 and pass orders after affording due opportunity of hearing to the petitioner and other parties, if any, on merits and in accordance with law. It is made clear that the said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. There will be no order as to costs.

Sd/-
Assistant Registrar(CS-IX)

//True copy//

Sub Assistant Registrar

gg
To

1. The Revenue Divisional Officer,

RDO Office, Udumalpet,
Thiruppur District.

2. The Tahsildar,
Madathukulam Taluk,
Thiruppur District.

+1cc to Mr.R.Nalliyappan, Advocate SR.No.59750

+1cc to Government Pleader SR.No.59770

W.P.No.32390 of 2017

GMV (26/09/2018)



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