

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.2647 of 2018

M.S.Matheswaran
S/o.Senkottayan

.. Petitioner

Vs.

1. The District Revenue Officer
The Collectorate Office
Villupuram.

2. The Revenue Divisional Officer
Kallakurichi
Villupuram District.

3. The Tashildar
Chinna Salem,
Villupuram District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to consider on the basis of petitioner's representation dated 31.11.2017 and issue patta to the petitioner's property bearing S.No.369-4C admeasuring 11 1/2 cents in Kachirapalayam Village, Chinnasalem.

For Petitioner : Mr.S.N.Subramani

For Respondents : Mr.D.Suriyanarayanan

Additional Government Pleader

O R D E R

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

2. The petitioner seeks for a Mandamus, directing the respondents to consider his representation dated 31.11.2017 and issue Patta in respect of the property bearing S.No.369-4C admeasuring 11 1/2 cents in Kachirapalayam Village, Chinnasalem.

3. It is claimed by the petitioner that one Poongothai got Patta in respect of the subject matter property in her name on 08.01.2007, by way of mis-representation. It is stated that the petitioner filed an appeal against the said proceedings and the second respondent herein, by proceedings dated 30.12.2008, directed the third respondent to cancel the Patta and take action. It is further stated that the said Poongothai filed a review before the first respondent, which also, came to be rejected on 27.02.2010.

4. The learned counsel for the petitioner submitted that the order passed by the first respondent dated 27.02.2010 has become final and conclusive, as the said Poongothai has not filed any further appeal.

5. Therefore, the petitioner is continuously making representation for giving effect to the order already passed in his favour and consequently, seeking to re-issue the Patta in his name. It is stated that last of such representation was made on 31.11.2017. The grievance of the petitioner is that the said request has not been considered so far.

6. Therefore, this Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner. Accordingly, this writ petition is disposed of, only with a direction to the third respondent to consider the request of the petitioner and pass orders on the same on merits and in accordance with law, also by considering the earlier proceedings issued in respect of the subject matter property, after giving due opportunity of hearing to the petitioner and other interested persons, if any. The whole exercise shall be done by the third respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. The District Revenue Officer
The Collectorate Office
Villupuram.

2. The Revenue Divisional Officer
Kallakurichi
Villupuram District.

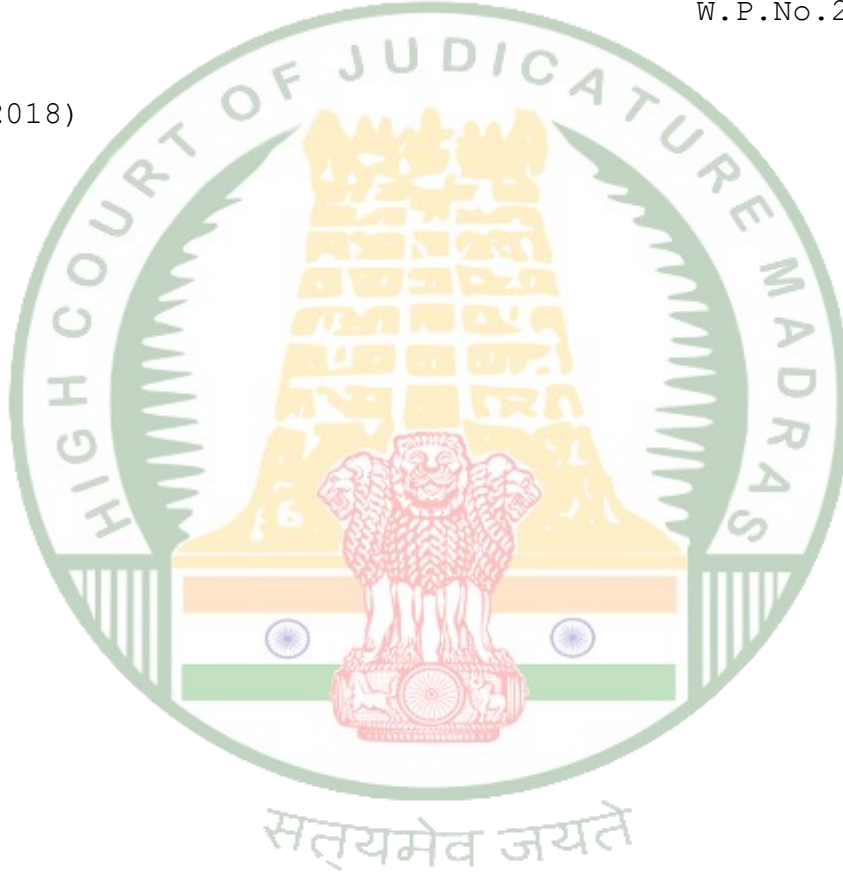
3. The Tashildar
Chinna Salem,
Villupuram District.

+1cc to the Government Pleader, S.R.No. 9708

+1cc to Mr.SN.SUBRAMANI, Advocate, S.R.No. 9274

W.P.No.2647 of 2018

KJI (CO)
TR(22/02/2018)



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