

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.3006 of 2016

R.Jayaraman

..Petitioner

Vs

1.The District Collector
Vellore District.
Vellore.

2.The Revenue Divisional Officer
Tiruppattur Division
Tiruppattur,
Vellore District.

3.The Tahsildar
Tiruppattur Taluk
Tiruppattur
Vellore District.

4.Rajendran

5.Jayalakshmi

6.Jayanthi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the respondents 1 to 3 to cancel the patta in the name of the respondents 5 and 6 and issue a fresh patta in respect of Survey Nos.231/1A and 231/1D patta respectively vide 1379 and 740 measuring an extent of 231 cents by considering the representation of the petitioner's father dated 04.11.2015.

For Petitioner : Mr.M.Muthusamy

For Respondents: Mr.J.Ramesh

Additional Government Pleader

For R1 to R3

Mr.S.Rajendran, for R4 to R6

O R D E R

The prayer sought for in this writ petition is for a mandamus, directing the respondents 1 to 3 to cancel the patta granted in the name of the respondents 5 and 6 and issue a fresh patta in respect of Survey Nos.231/1A and 231/1D, by considering the representation submitted by the father of the petitioner dated 04.11.2015.

2. The learned counsel for the petitioner submitted that after the death of his father viz,, G.Ranganathan, the petitioner made a representation to the official respondents on 09.12.2015, in line with the representation dated 04.11.2015 already given by his father. Such representation was to the effect that the brother of the petitioner committed fraud in obtaining patta in respect of the properties belonging to the father of the petitioner. Since no action was taken on the said representation, the petitioner is before this Court.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3 fairly submitted that if the petitioner submits necessary documents, the same would be considered by the respondents on merits and in accordance with law.

4. Considering the above facts and circumstances and having regard to the submissions made by the learned counsel on either side, without going into the merits of the case, this writ petition is disposed of with a direction to the petitioner to submit all the necessary documents in support of his claim within a period of two weeks before the respondent concerned. On such filing, the respondent concerned shall consider the same and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, respondents 4 to 6, as well as other interested parties, within a period of four weeks thereafter. No costs.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

ms

To

- 1.The District Collector
Vellore District, Vellore.
- 2.The Revenue Divisional Officer
Tiruppattur Division
Tiruppattur,Vellore District.
- 3.The Tahsildar
Tiruppattur Taluk, Tiruppattur
Vellore District.

- + 1 cc to Mr.S. Rajendran, Advocate Sr.61000
- + 1 cc to MR. M. Muthusamy, Advocate SR.61031
- + 1 cc to MR. Government Pleader Sr.61296

W.P.No.3006 of 2016

PPA(CO)

EU(25/10/2018)