

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.29823 of 2013

1.V.Jaganatha Reddy
2.V.Nagaraja Reddy
3.Smt.V.Syla

..Petitioners

Vs

1.The Collector,
Krishnagiri District,
Krishnagiri.

2.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

3.The Tahsildar,
O/o.The Taluk Office,
Hosur.

4.The Panchayat President,
Echankur Panchayat,
Bagalur Post,
Hosur Taluk.

5.K.C.Prakash
6.S.M.Chandraiah
7.T.Gopal
8.N.Narmada

..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to dispose the representation made by the petitioner dated 5.6.2013 for issue of Patta for the properties more fully described in the schedule mentioned in the petition situated in Krishnagiri District, Hosur Sub R.D. and Taluk, Sokkanadhapuram Village after making due enquiry for the representation dated 5.6.2013, within the stipulated time as decided by this Court.

For Petitioners : Mr.P.Subba Reddy

For Respondents : Mr.V.Shanmuga Sundar

Special Government Pleader for R1 to R3

No appearance for R4 to R8

ORDER

Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the respondents 1 to 3. Despite service of notice on the respondents 4 to 8, there is no appearance either in person or through counsel.

2. This writ petition has been filed seeking for issuance of writ of mandamus, directing the respondents to dispose of the representation of the petitioners dated 05.06.2013, within a time frame.

3. According to the petitioners, the properties in S.Nos.4/3A, 4/3B and 4/3C situated at Sokkanadhapuram Village, Hosur Taluk, Krishnagiri District are the ancestral properties and the sale made in favour of the respondents 5 to 8 has been challenged before the competent Civil Court in O.S.No.34 of 2008. However, in the meanwhile the third respondent has transferred the patta in the name of the private respondents 5 to 8, hence, the petitioners gave a representation to the official respondents to re-transfer the patta in the name of the petitioners. Since no favourable order was forthcoming, the present writ petition.

4. The learned counsel for the petitioners would submit that it would suffice, if a suitable direction is given to the first respondent to consider the representation of the petitioners.

5. The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the grievance of the petitioners has to be considered only by the Revenue Divisional Officer, Hosur. If the petitioners give a fresh representation, the competent authority is ready to consider the same in accordance with law.

6. In the light of the above submissions made by the learned counsel on either side and the limited scope of prayer sought for in this writ petition, this Court, without going into the merits of the case, directs the petitioners to give a fresh representation to the Revenue Divisional Officer, Hosur, by enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the Revenue Divisional Officer, Hosur, shall consider the same and pass orders on merits and in accordance with law, after affording an opportunity of

personal hearing to all necessary parties, within a period of six months therefrom.

7.With the above direction, this writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS IX)

//True copy//

Sub Assistant Registrar

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To

- 1.The Collector,
Krishnagiri District,
Krishnagiri.
- 2.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.
- 3.The Tahsildar,
O/o.The Taluk Office,
Hosur.
- 4.The Panchayat President,
Echankur Panchayat,
Bagalur Post,
Hosur Taluk.
- 5.The Revenue Divisional Officer,
Hosur.

+1cc to Mr.P.Subba Reddy, Advocate SR.No.40848

+1cc to Government Pleader SR.No.41383

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AK(CO)
GN(11/07/2018)

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