

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.27458 of 2018

Duraivelu

.. Petitioner

Vs

1.The Thasilthar
Sholinganallur Tasilthar office
No.1 Rajiv Gandhi salai
1st cross street
Sholinganallur
Chennai-600 119.

2.Ashok Vargheese

3.Anand Jacob vargheese

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the first respondent to consider the representation dated 25.06.2018 for enquiry and cancellation of patta issued for Survey No.259/2, R.S.No.259/16 in favour of 2nd and 3rd respondents.

For Petitioner : Ms.Dr.R.Gouri

For R1 : Ms.P.Rajalakshmi

Additional Government Pleader

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the first respondent to consider the petitioner's representation dated 25.06.2018 for enquiry and cancellation of patta issued in favour of the respondents 2 and 3.

3.According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 25.06.2018 claiming the same relief as prayed in this writ petition, but, the said representation is yet to be disposed of by the first

respondent. Hence, the petitioner is before this Court.

4.Ms.P.Rajalakshmi, learned Additional Government Pleader taking notice for the first respondent submitted that the first respondent be directed to consider the petitioner's representation and pass orders, in accordance with law.

5.It is the specific claim of the petitioner that the petitioner and his two brothers filed a suit in O.S.No.658 of 2006 against the respondents 2 and 3 and others and the same is pending before the Munsif Court, Alandur. Despite the same, patta had already been issued in favour of the respondents 2 and 3, who have no title over the properties.

6.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the first respondent to consider the petitioner's representation dated 25.06.2018 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, respondents 2 and 3 and as well as any of the interested parties, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is also directed to mark the copy of his representation dated 25.06.2018 to the Revenue Divisional Officer, Chennai.

7.Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To
The Thasilthar
Sholinganallur Tasilthar office
No.1 Rajiv Gandhi salai
1st cross street
Sholinganallur
Chennai-600 119.

+1cc to the Government Pleader, S.R.No. 73479

W.P.No.27458 of 2018

AD(CO)
GN(14/11/2018)