

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2018

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.30253 of 2018
and
W.M.P.No.35306 of 2018

N.Dhanam

...Petitioner

..Vs..

1.The Revenue Divisional Officer,
Tittakudi Taluk,
Vridhachalam
Cuddalore District.

2.The Thasildhar,
Tittakudi Taluk,
Tittakudi,
Cuddalore District.

3.D.Jothi

4.D.Subramani

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to dispose of the appeal bearing reference No.O.MU.(A4) dated 15.06.2018 pursuant to the petitioner's representation dated 10.05.2018 submitted for cancellation of the assignment made in respect of the third respondent herein in respect of the land admeasuring 1 hectare and 14 ares comprised in survey Number 58/2 at West Kattu Kottai, Lakshmanapuram Village, Korakkavadi Post, Tittakudi Taluk, Cuddalore District.

For Petitioner : Mr.S.Mohan

For Respondents: Mr.S.Suresh Kumar (1 and 2)
Government Advocate

ORDER

By consent, this Writ Petition is taken up for final disposal, at the stage of admission itself.

2. This Writ Petition has been filed seeking for a direction to the first respondent to dispose of the appeal bearing reference No.O.MU.(A4) dated 15.06.2018 pursuant to the petitioner's representation dated 10.05.2018 submitted for cancellation of the assignment made in respect of the third respondent herein in respect of the land admeasuring 1 hectare and 14 ares comprised in survey Number 58/2 at West Kattu Kottai, Lakshmanapuram Village, Korakkavadi Post, Tittakudi Taluk, Cuddalore District.

3. According to the petitioner, the third respondent had executed an unregistered deed of confirmation in respect of the lands belonging to the petitioner, at the instigation of the third respondent. It is his further case that after the death of the petitioner's husband and her inlaws, the third respondent executed a sale deed in favour of the fourth respondent in respect of one hectare and 14 acres comprised in Survey No.58/2, which is not in possession and enjoyment of the third respondent. Hence, the petitioner has filed a petition before the first respondent on 10.05.2018, narrating the above facts and the first respondent vide proceedings dated 15.06.2018, directed the second respondent to enquire into the petitioner's representation and submit a report. The second respondent, after enquiry, submitted a report to the first respondent, on 17.09.2018, stating that the petitioner has been in possession of the said property. But, the first respondent has not passed any orders on the representation of the petitioner till date. Hence, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

4. Heard, Mr.S.Suresh Kumar, learned Government Advocate, who takes notice on behalf of the respondents 1 and 2.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the first respondent to consider the petitioner's representation dated 10.05.2018 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, as well as any of the interested parties, within a period of four weeks from the date of receipt of copy of this order.

6.With the above directions, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

arr/rst

To

1.The Revenue Divisional Officer,
Tittakudi Taluk,
Vridhachalam
Cuddalore District.

2.The Thasildhar,
Tittakudi Taluk,
Tittakudi,
Cuddalore District.

+lcc to Mr.S.Mohan, Advocate sr.no.79651
+lcc to Government Pleader sr.no.79600

W.P.No.30253 of 2018
and
W.M.P.No.35306 of 2018

vgi(co)
nr 18/12/2018

सत्यमेव जयते

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