



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

WP (MD) No.4416 of 2018

S.Pandian

... Petitioner

Vs.

1.The Tahsildar,
Srivaigundam Taluk,
Thoothukudi District.

2.Murugan

3.Chinnasankara Subbu

... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Mandamus directing the first respondent to remove the names of the respondents 2 and 3 from the petitioner's patta bearing No.445 to the property comprised in S.F.No.220 and 234 measuring to an extent of 2.83.50 hectares situated at Manakkarai, Srivaigundam Taluk, Thoothukudi District, based on the petitioner's representation dated 26.12.2017.

For Petitioner

: Mr.S.Mandhiralingeswaran

For R1

: Mr.Aayiram K.Selvakumar

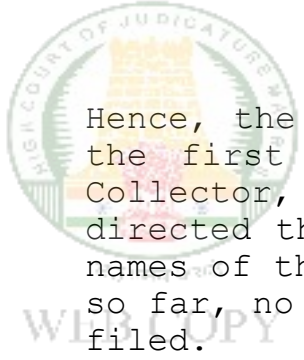
Additional Government Pleader

ORDER

This writ petition has been filed seeking direction to the first respondent to remove the names of the respondents 2 and 3 from the patta bearing No.445 in respect of the property comprised in S.F.No.220 and 234 measuring to an extent of 2.83.50 hectares situated at Manakkarai, Srivaigundam Taluk, Thoothukudi District, based on the petitioner's representation dated 26.12.2017.

2.Heard Mr.S.Mandhiralingeswaran, learned counsel appearing for the petitioner and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader appearing for the first respondent. Since the order going to be passed is no way prejudicial to the interest of the respondents 2 and 3, notice to the respondents 2 and 3 is dispensed.

3.According to the petitioner, he is the owner of the property comprised in S.F.No.220 and 234 measuring to an extent of 2.83.50 hectares situated at Manakkarai, Srivaigundam Taluk, Thoothukudi and he has also got patta for the above said property. Earlier, the first respondent, by mistake, included the names of the respondents 2 and 3 in the patta, stands in the petitioner's name.



Hence, the petitioner has made a representation dated 26.10.2017 to the first respondent. Based on the said representation, the Sub Collector, Thoothukudi, by the proceedings dated 30.10.2017, directed the first respondent to take suitable action to remove the names of the respondents 2 and 3 from the patta bearing No.445. But, so far, no order has been passed. Hence, this writ petition has been filed.

4.Considering the fact that the petitioner's application is pending for a long time before the first respondent and also considering the fact that despite a direction given by the Sub Collector, no order has been passed, the first respondent is directed to consider the petitioner's representation dated 26.12.2017 and pass suitable orders on merits and in accordance with law as expeditiously as possible, after issuing notice to the petitioner as well as to the respondents 2 and 3.

5.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

The Tahsildar,
Srivaigundam Taluk,
Thoothukudi District.

+One cc to The Special Government Pleader, SR.No.53031

+One cc to M/s.S.Manthiralingeswaran, Advocate, SR.No.53126

mj

RL/4C/2P/JC/SAR1/20/3/2018

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