



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.6023 of 2018

and

W.M.P. (MD) .No.5895 of 2018

M.Rajamanickam

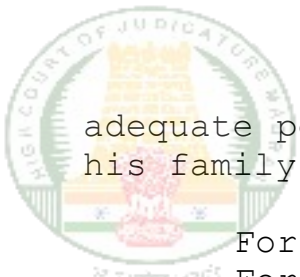
... Petitioner

Vs.

1. The District Collector,
Theni District,
Theni.
2. The Tahsildar,
Periyakulam Taluk,
Theni District.
3. The Joint Sub-Registrar No.II,
Registration Department,
Katcheri Road,
Thenkarai, Periyakulam,
Theni District.
4. The Superintendent of Police,
Theni District, Theni.
5. The Inspector of Police,
Devathanapatti,
Periyakulam Taluk,
Theni District.
6. M.Ravikumar
Director,
Pudukkottai Green Power Pvt., Ltd.,
Apartment No.34, Swathi Complex,
1st Floor, Venkatnarayana Street,
Nandanam, Chennai-35.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 5 to dispose of the petitioner's representation dated 18.03.2018 within a time frame as fixed by this Court besides directing the respondents 4 and 5 provide



adequate police protection for the life and limb of petitioner and his family.

For Petitioner : Mr.S.Alagusundar
For R1 to R5 : Mr.M.Karuppasamy,
Government Advocate
For R6 : Mr.K.Gokul

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ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to dispose of the petitioner's representation, dated 18.03.2018 within the stipulated time.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 5.

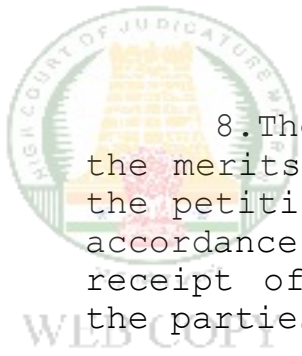
3.The learned counsel appearing for the petitioner submitted that the petitioner is residing in the property comprised in Survey Nos.2747/4, 2795/3 and 2750/1, measuring an extent of 0.26.0, 0.33.0 and 0.18.0 ares and he has right over the aforesaid property on the basis of the assignment order issued by the authorities. He further submitted that the Tahsildar, Theni District, the second respondent herein has transferred the patta in the name of the 6th respondent and hence, the petitioner made a representation to the second respondent stating that without issuing notice to him, the patta has been transferred.

4.The learned Government Advocate would submit that the petitioner has not produced any assignment order, which stands in his name. He further submitted that the petitioner has not challenged the transfer of patta in the name of the 6th respondent. Therefore, the present writ petition is not maintainable.

5.The learned counsel for the 6th respondent would submit that the petitioner has no locus-standi to file the present writ petition before this Court.

6.I have considered the rival submissions made on either side and also perused the materials placed on record.

7.The contention of the petitioner is that the property has been assigned with the above lands in the name of the petitioner and subsequently, without issuing notice to him, the said property has been transferred in favour of the 6th respondent and also granted patta in his favour. Therefore, the petitioner has made a representation to the respondents 1 to 5. Since no action has been taken so far, the present writ petition has been filed.



8. Therefore, this Court without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioner's representation dated 17.03.2018, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order, after providing opportunity to the parties concerned.

9. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Theni District, Theni.
2. The Tahsildar,
Periyakulam Taluk,
Theni District.
3. The Joint Sub-Registrar No.II,
Registration Department,
Katcheri Road,
Thenkarai, Periyakulam,
Theni District.
4. The Superintendent of Police,
Theni District, Theni.
5. The Inspector of Police,
Devathanapatti,
Periyakulam Taluk,
Theni District.

+ 1 cc TO Mr.S.Alagusunder , Advocate in SR No. 60971
+ 1 cc TO The Special Government Pleader in SR No. 61310

Ns

AE/SV MMS/SAR2/08.05.2018/3P/8C

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and**

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