



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 27.02.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE **V.BHARATHIDASAN**

W.P. (MD) No.14320 of 2013

Rasu

. . .Petitioner

-Vs-

1. The District Collector,
Sivagangai,
Sivagangai District.
2. The District Revenue Officer,
Sivagangai,
Sivagangai District.
3. The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
4. The Tahsildar,
Thiruppathur,
Sivagangai District.

5.Vellai Samy

. . Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, directing the 1st respondent to direct the 4th respondent to cancel the separate patta in favour of the 5th respondent, on the basis of the petitioner representation dated 17.11.2011 within a period of stipulated time.

For petitioner	: Mr.S.Muthalraj
For R1 to R4	: Mr.Aayiram K.Selvakumar Additional Government Pleader
For R5	: Mr.E.Marees Kumar for M/s Ajmal Associates

ORDER

According to the petitioner he is the owner of the property



in Survey No.212/9 at Dharma Patty, Kariyampatty Village, Thiruppathur Taluk Siva Gangai District.

2.Earlier a joint patta has been issued in favour of the petitioner and the fifth respondent. Suddenly without issuing any notice, whatsoever, the fourth respondent issued a patta only in favour of the fifth respondent. In the said circumstances the petitioner approached the third and fourth respondent to rectify the mistake and filed an application. On receipt of the said application, the third respondent directed the fourth respondent to take action on the application of the petitioner and the fourth respondent. But, so far, no action has been taken on the application filed by the petitioner. Hence, the present writ petition has been filed by the petitioner.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader and the learned counsel appearing for the respondents.

4.Considering the above fact without going into the merits of the case, since the application of the petitioner is pending with the fourth respondent for a long time, the fourth respondent is directed to conduct enquiry after issuing notice to the petitioner as well as the fifth respondent herein and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai,
Sivagangai District.
2. The District Revenue Officer,
Sivagangai,
Sivagangai District.
3. The Revenue Divisional Officer,
Sivagangai District.



4. The Tahsildar,
Thiruppathur,
Sivagangai District.

+ 1 cc TO Mr.Na.Palaniyandi , Advocate in SR No. 51483

+ 1 cc TO M/S.Ajmal Associates , Advocate in SR No. 51470

+ 1 cc TO The Special Government Pleader in SR No. 52167

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AE/JC/SAR1/26.03.2018/3P/8C

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