

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 23.01.2019
CORAM :

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR
W.P. No.30037 of 2011

R. Pandiyan

...Petitioner

Vs.

1.The District Collector
Palladam Kottam
Palladam.

2.The Revenue Divisional Officer
Palladam Kottam
Palladam.

3.The Tahsildar
Palladam Kottam
Palladam.

4. S. Jaganathan ... Respondents
R4 impleaded as per order dated.31.08.2012 made in MP.1/12.

PRAYER: This Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus, directing the 2nd respondent to dispose of the representation dated 30.10.2011 pending before him in accordance with law within a time frame fixed by this Court.

For Petitioner : Mr.M. Velmurugan

For Respondents : Mr. A. Zakir Hussain,
Government Advocate for R1 to R3

No Appearance for R4

O R D E R

This Writ Petition is filed seeking to direct the 2nd respondent to dispose of the representation of the petitioner dated 30.10.2011, in accordance with law, within the time frame fixed by this Court.

2. The learned counsel for the petitioner would submit that the subject property originally belonged to one Sheik Mohammed Sahib and subsequently, the legal heirs of Sheik Mohammed Sahib were enjoying the property. Based on the power of attorney given by the legal heirs, the

property was sold to one Manimaran vide registered Document No.1806/97 on the file of the Palladam Sub Registrar's office. The said Manimaran executed a registered sale deed on 20.07.1999 in favour of Krishnan and Jayakumar, who gave Power of Attorney to the petitioner. According to the petitioner, one S. Jaganathan falsely fabricated several documents and have registered the said property in his favour. Against the same, the petitioner gave a representation dated 30.10.2011 to the 2nd respondent to conduct a detailed enquiry. Since no orders have been passed, the present writ petition is filed before this Court.

3. The learned Government Advocate drew the attention of this Court to the counter affidavit filed by the 3rd respondent, wherein it is stated that the patta has been transferred in the name of Jaganathan in S.F. No. 472/3A and 472/3B, after scrutinizing the documents submitted by the said Jaganathan. The learned Government Advocate further submitted that the petitioner has to approach the concerned authorities and submit his application in appropriate format and the same shall be considered in accordance with law.

4. In view of the submission of the learned Government Advocate, learned counsel for the petitioner undertakes to file a fresh petition in proper format to the 2nd respondent.

5. Considering the above submission of the learned counsel for both the parties, direction is given to the petitioner to make a fresh representation in proper format for cancellation of patta, within a period of four weeks from the date of receipt of a copy of this order. On receipt of such application, the 2nd respondent is directed to consider the same and pass orders on merits, in accordance with law, as expeditiously as possible, preferably within a period of twelve weeks thereafter.

6. The Writ Petition is dismissed, with the above direction. No costs.

Sd/-

Assistant Registrar(CS iii)

//True Copy//

Sub Assistant Registrar

avr

To

1.The District Collector
Palladam Kottam
Palladam.

2.The Revenue Divisional Officer
Palladam Kottam
Palladam.

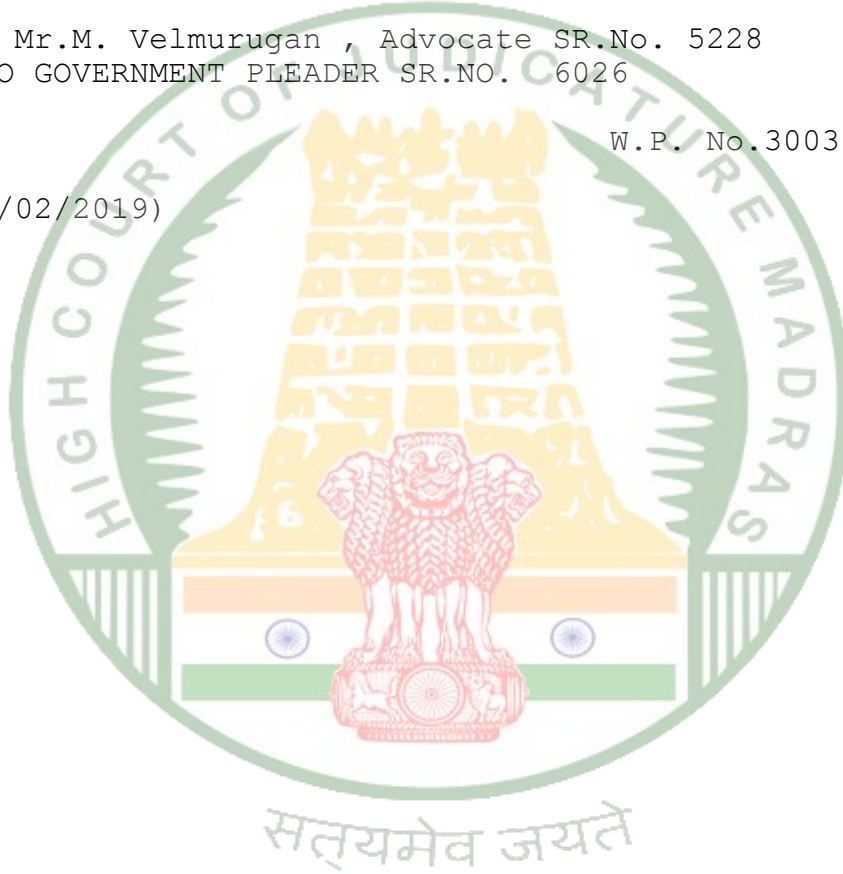
3.The Tahsildar
Palladam Kottam
Palladam.

+1cc to Mr.M. Velmurugan , Advocate SR.No. 5228

+1 CC TO GOVERNMENT PLEADER SR.NO. 6026

W.P. No.30037 of 2011

A.SK(22/02/2019)



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