

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 13.02.2019
CORAM
THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.10499 of 2014
and M.P.No.1 of 2014

Kanagavel

.. Petitioner

Vs

1.The Collector,
Collector Office,
Dharmapuri.

2.The Tahsildar,
Taluk Office,
Harur Taluk,
Dharmapuri District.

3.Duraisamy

4.Valliammal

5.Venkatachalam

6.Govindammal

7.Poonkodi

8.Vasantha

9.Mallika

10.Ramachandran

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 and 2 to consider and pass orders on petitioner's representation dated 31.12.2013 and 10.02.2014 to the respondents 1 & 2 for surveying the patta No.619, survey No.95/1A1 an extent of 5.13.50 acres situated at Gopinadhampatti Village, Dharmapuri District.

For Petitioner : Mr.K.Nagarajan

For R1 and R2 : Mr.B.Anand, GA

For R3 to R10 : Mr.D.Shivakumaran

W R I T
O R D E R

This writ petition is filed seeking direction to the 2nd respondent to consider and pass orders on the representation of the petitioner dated 31.12.2013 and 10.02.2014 within the stipulated time fixed by this Court.

2.The learned counsel for the petitioner would submit that though the petitioner made representation on 31.12.2013 and 10.02.2014, he confined his prayer to direct the 2nd respondent

to consider the petitioner's representation dated 10.02.2014 for surveying the land comprised in patta No.619, survey No.95/1A1, to an extent of 5.13.50 hectares situated at Gopinadhampatti Village, Dharmapuri District.

3.The learned counsel appearing for the private parties/respondents 3 to 10 would submit that the petitioner has no locus standi, as there is no Will executed in favour of the petitioner in respect of the subject matter of the property. However, if any enquiry is ordered to be conducted by this Court, an opportunity should be given to them.

4.The learned Government Advocate appearing for the respondents 1 and 2 would submit that the said representation will be considered by the official respondents, by affording an opportunity to the parties concerned.

5.Considering the nature of prayer, without expressing any opinion on the merits of the case, this Court is inclined to direct the Tahsildar/ 2nd respondent to consider the representation of the petitioner dated 10.02.2014 on merits and in accordance with law and pass orders, as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order, after affording opportunity to the petitioner and private respondents as well as any aggrieved persons. Both the counsel for the parties represented that the necessary documents will be placed before the authorities concerned, at the time of enquiry.

The Writ Petition is disposed of, with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gya

To

1.The Collector,
Collector Office,
Dharmapuri.

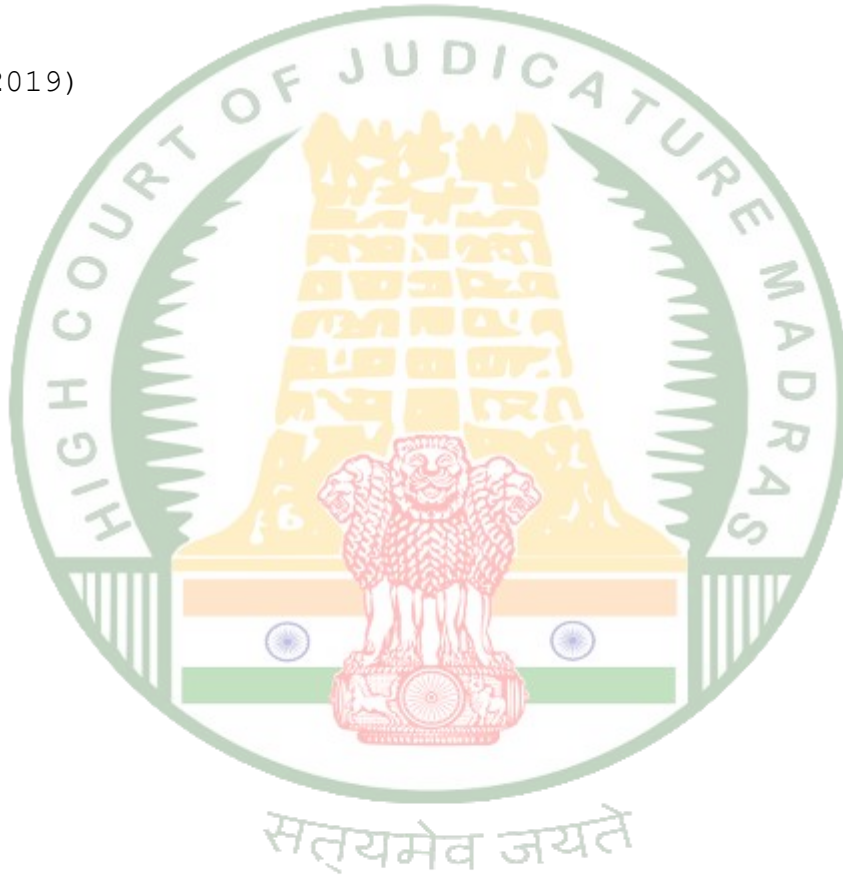
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2.The Tahsildar,
Taluk Office,
Harur Taluk,
Dharmapuri District.

+1cc to Mr.D.Shivakumaran, Advocate, S.R.No. 13296
+1cc to Mr.K.Nagarajan, Advocate, S.R.No. 12754
+1cc to the Government Pleader, S.R.No. 13451

W.P.No.10499 of 2014

SSI (CO)
GN(12/03/2019)



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