

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.15145 of 2014

Murugaiyan

..Petitioner

Vs

1.The Revenue Divisional Officer cum
Sub Collector
Nagapattinam

2.The Tahsildar
Nagapattinam

3.Gowri

..Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a writ of Mandamus, directing 2nd respondent to consider representation dated 02.05.2014 in the light of Government order (Nilai) No.142 dated 23.05.2013 and dispose of the same within stipulated time.

For Petitioner : Mr.S.Sounthar

For Respondents : Mr.V.Shanmuga Sundar,
Special Government Pleader
for R1 and R2.
Mr.S.Balasubramaniam for R3.

ORDER

This Writ Petition is filed praying to issue a writ of Mandamus to direct the 2nd respondent to consider the representation dated 02.05.2014 in the light of Government order (Nilai) No.142 dated 23.05.2013 and dispose of the same within stipulated time.

2. It is the contention of the Petitioner that the grant of patta for 17 cents in Survey No.16/12, Pappa Koil Village, Nagapattinam Taluk, in favour of 3rd respondent, is against the norms fixed in G.O.142 dated 23.05.2013. The Petitioner further states that 3rd respondent is claiming right over portion of the Petitioner's property on the strength of the patta granted in his favour. The Petitioner sent representation to the

respondents 1 and 2 to take action for cancellation of patta. Since no action is taken on the said representation, the Petitioner has come forward with the present Writ Petition.

3. The learned Special Government Pleader appearing for respondents 1 and 2 submits that the representation of the Petitioner will be considered by the respondents, in a time frame as stipulated by this court, on merits and in accordance with law.

4. The learned counsel appearing for the 3rd respondent would submit that in the event of considering and passing orders on the representation of the Petitioner, an opportunity of hearing can be afforded to the third respondent.

5. In view of the above submissions, the 2nd respondent is directed to consider the representation of the Petitioner dated 02.05.2014, after affording an opportunity of hearing to the Petitioner as well as the 3rd respondent and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

nvsri

To

1.The Revenue Divisional Officer cum
Sub Collector
Nagapattinam

2.The Tahsildar, Nagapattinam

+1cc to Mr.S.Sounthar, Advocate SR.No.19291

+2ccs to Mr.S.Balasubramanian, Advocate SR.No.19304

+1cc to Government Pleader SR.No.20016

WP.15145 of 2014

MG(CO)
GMY(27/03/2019)