

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.13977 of 2017
and
W.M.P.No.15177 of 2017

Theiva Pakkiam

... Petitioner

vs.

1.The District Collector,
Perambalur District,
Perambalur.

2.The Tahsildar,
Perambalur District,
Perambalur.

3.Periyasamy
(R3-amended as per order
dt.27.06.2017 by MDJ
in W.M.P.No.16656/2017
in W.P.No.13977/2017)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the official respondent to delete the 3rd respondent's name in the Petitioner's Patta No.693 pursuant to the order of the 2nd respondent dated 10.07.1985 for the Petitioner's land comprised in Survey No.74/3A1 over an extent of 13 cents in Ammapalayam Village, Perambalur Taluk and District.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.D.Suriyanarayanan
Additional Government Pleader
for R1 & R2
No appearance for R3

ORDER

The petitioner seeks for Mandamus directing the second respondent to delete the name of the third respondent in Patta

No.693 in respect of the land comprised in Survey No.74/3A1 over an extent of 13 cents in Ammapalayam Village, Perambalur Taluk and District.

2. In this writ petition, notice was ordered to the third respondent. Though the third respondent was served, he has chosen not to appear before this court either in person or through counsel. His name is printed in the cause list today.

3. The claim of the petitioner is that the subject matter land belongs to her and therefore the name of the 3rd respondent found in Patta No.693 referable to the subject matter land needs to be deleted.

4. This Court, at this stage, is not expressing any view on the contentions raised by the petitioner, as it is for the 2nd respondent to consider and decide. Accordingly, this Writ Petition is disposed of by directing the 2nd respondent to consider the representation of the petitioner dated 23.02.2017 and pass orders on the same on merits and in accordance with law, after hearing the petitioner, the 3rd respondent and the other interested parties, if any. Such exercise shall be done by the 2nd respondent, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gsi/vsi
To

1.The District Collector,
Perambalur District,
Perambalur.

2.The Tahsildar,
Perambalur District,
Perambalur.

+1 cc to M/s.M.Muthappan, Advocate SR.No.535
+1 cc to The Government Pleader, SR.No.1016

W.P.No.13977 of 2017
and W.M.P.No.15177 of 2017

CP(CO)
CSL/24.01.2019