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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.07.2019
CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.15056 of 2019

S.Ramakrishnan ... Petitioner

-Vs-

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The District Revenue Officer,
Thanjavur District, Thanjavur.

3.The Tahsildar,
Kumbakonam Taluk Office,
Kumbakonam, Thanjavur District.

4.S.Arivarasu
5.Saratha ... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 3rd respondent herein to cancel the patta on the name of 4th and 5th respondents herein and issue the patta on the petitioner's name with regard to lands in Survey No.47/2B1 to an extent of 18 cents situated at Srinivasa Nallur Village, Thirunageshwaram, Kumbakonam Taluk, Thajuavur District based on the petitioner's representation dated 19.12.2018.

For Petitioner :Mr.G.Gomathi Sankar

For Respondents : Mr.V.Anand, G.A. For RR1 to 3

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 3rd respondent herein to cancel the patta in the name of 4th and 5th respondents herein and issue the patta in the petitioner's name with regard to lands in Survey No.47/2B1 to an extent of 18 cents situated at Srinivasa Nallur Village, Thirunageshwaram, Kumbakonam Taluk, Thajuavur District based on the petitioner's representation dated 19.12.2018.

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2.Heard Mr.G.Gomathi Sankar, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents 1 to 3. Since no adverse order is going to be passed against the respondents 4 and 5, notice to them is dispensed with.

3.With the consent of both sides, this writ petition is disposed of at the admission stage itself.

4.In order to delete the name of the private parties in the patta in Survey No.47/2B1 to an extent of 18 cents situated at Srinivasa Nallur Village, Thirunageshwaram, Kumbakonam Taluk, Thajuavur District, the petitioner had given a representation to the 1st respondent on 19.12.2018 and the said representation since has not been considered so far, the petitioner is before this Court. The learned counsel appearing for the petitioner submits that if the said representation of the petitioner is directed to be considered on merits within a time frame, the petitioner would be satisfied.

5.I have heard the learned Government Advocate appearing for the respondents, who would submit that, the said representation of the petitioner dated 19.12.2018 made to the 1st respondent would decided within a time frame to be stipulated by this Court.

6.Considering the limited scope of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following direction:

> "The 1st respondent is directed to consider the representation of the petitioner dated 19.12.2018 and pass orders thereon, on merits and in accordance with law, of course, after giving an opportunity of being heard to both the petitioner as well as the respondents 4 and 5, by giving notice and final order shall be passed, within a period of twelve weeks from the date of receipt of a copy of this order."

7.With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The District Revenue Officer,
Thanjavur District,
Thanjavur.

3.The Tahsildar,
Kumbakonam Taluk Office,
Kumbakonam,
Thanjavur District.

+1 CC to M/s.G.GOMATHI SANKAR, Advocate (SR-73319[F] dated 04/07/2019)

+1 CC to M/s.SPL GP (SR-73704[F] dated 05/07/2019)

TS(15.07.2019) 3P 6C

Order made in
W.P.(MD)No.15056 of 2019

Dated:
04.07.2019

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