



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2019

CORAM:

THE HONOURABLE Mr.JUSTICE R.SURESH KUMAR

W.P. (MD)No.17834 of 2019

Rasu

... Petitioner

Vs.

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Tahsildar,
Viralimalai Taluk,
Pudukottai District.

3.The Revenue Inspector,
Kodumbaloor Village, Viralimalai Taluk,
Pudukottai District.

4.Kamarasu
5.Rajendran

... Respondents

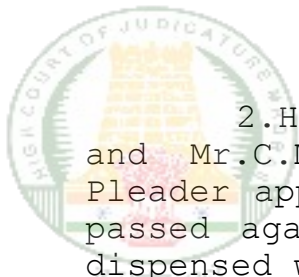
Prayer: The petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 06.08.2018 to cancel the Patta No.1319 and issue patta in the petitioner's name for the properties comprised in Survey No.443/2, 3 and 4 situated at Kodumbalur village, Viralimalai Taluk, Pudukottai District.

For Petitioner : Mr.T.Lenin Kumar

For Respondents: Mr.C.M.Mari Cheliah Prabhu, AGP for R1 to R3

O R D E R

The prayer sought for in this Writ petition is for a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 06.08.2018 to cancel the Patta No.1319 and issue patta in the petitioner's name for the properties comprised in Survey No.443/2, 3 & 4 situated at Kodumbalur village, Viralimalai Taluk, Pudukottai District.



2. Heard Mr.T.Lenin Kumar, learned counsel for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for R1 to R3. Since no adverse order going to be passed against the private respondents herein, notice to them is dispensed with.

3. In respect of the above said property, in order to get patta, the petitioner has given a representation to the respondent, especially, the first respondent, on 06.08.2018 and the same having been forwarded to the 2nd respondent, who seems to have sought for a report from the 3rd respondent and the 3rd respondent also in turn on 25.10.2018 has given his report in favour of the petitioner. However, so far no final order has been passed by the 2nd respondent. Therefore, the petitioner is before this Court.

4. I have heard the learned counsel appearing for the petitioner, who would submit that if a direction is therefore, given to the 2nd respondent to pass orders on the said representation of the petitioner, taking into account the report submitted by the 3rd respondent at an early date, the petitioner would be satisfied.

5. I have heard the learned Additional Government Pleader appearing for the official respondents, who would submit that the said representation of the petitioner given to the 1st respondent had been forwarded to the 2nd respondent, who has taken the matter and accordingly, enquiry has been contemplated and in the mean while, the 3rd respondent also has given a report. Based on the said report, after conducting enquiry with the petitioner as well as the respondents 4 and 5, the 2nd respondent would pass orders on merits, within a time frame to be stipulated by this Court.

6. Having regard to the said submission made by the learned counsel appearing for both sides and taking into account the factual matrix of this case, this Writ petition is disposed of at the admission stage with the following direction:

That the 2nd respondent is hereby directed to consider the application of the petitioner dated 06.08.2018, and complete the enquiry, by giving an opportunity of being heard to both the petitioner as well as the respondents 4 and 5 by sending separate notices to them and thereafter, final orders shall be passed by the 2nd respondent, within a period of 8 weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)



To

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Tahsildar,
Viralimalai Taluk,
Pudukottai District.

3.The Revenue Inspector,
Kodumbaloor Village,
Viralimalai Taluk,
Pudukottai District.

+1 CC to M/s.T. LENIN KUMAR, Advocate (SR-81607[F] 14/08/2019)

+1 CC to M/s.Special Govt.Pleader (SR-81914[F] dated 16/08/2019)

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14.08.2019

nbj

SDS (19.12.2019) 3P 6C