



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.18860 of 2019

S.Samuthiram

... Petitioner

-Vs-

1.The District Collector,
Trichy District.

2.The Tahsildar,
Tiruverambur Taluk,
Thiruverambur,
Trichy District.

3.The Inspector of Police,
Thoovakudi Police Station,
Trichy District.

4.Satheesh

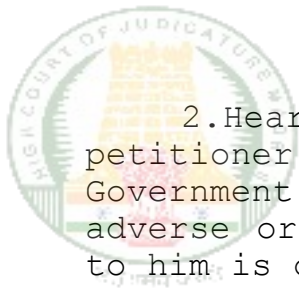
... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to take action on the petitioner's representation dated 26.04.2019 and 30.04.2019 and issue separate patta for the vacant site measuring about 10 cents comprised in S.No.107/72A situated in Thirunedungulam village of Thiruverambur Taluk at Trichy District as per the sale deed dated 06.11.2015 and 29.06.2016 within a time frame as fixed by this Honourable Court.

For Petitioner	: Mr.V.Nagendran
For Respondents	: Mr.C.M.Mari Chelliah Prabhu, AGP for RR1 to 3

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondents to take action on the petitioner's representation dated 26.04.2019 and 30.04.2019 and issue separate patta for the vacant site measuring about 10 cents comprised in S.No.107/72A situated in Thirunedungulam village of Thiruverambur Taluk at Trichy District as per the sale deed dated 06.11.2015 and 29.06.2016 within a time frame as fixed by this Honourable Court.



2.Heard Mr.V.Nagendran, learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents 1 to 3. Since no adverse order is going to be passed against the 4th respondent, notice to him is dispensed with.

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3.In order to get separate patta, with regard to the S.No.107/72A covered under patta No.463, Thirunedungulam village, Thiruverambur Taluk, Trichy District, the petitioner has given a representation dated 30.04.2019 (though in the representation, it has not been mentioned the area in which the property in question situate, the learned counsel appearing for the petitioner submits that a copy of the patta No.463 has been annexed along with the representation, whereby, it discloses that the property situates in Thirunedungulam village, Thiruverambur Taluk, Trichy District). Therefore, the learned counsel appearing for the petitioner submits that, if the said representation is decided on merits and in accordance with law, within a time frame to be stipulated by this Court, the petitioner would be satisfied.

4.I have heard the learned Government Advocate appearing for the official respondents, who would submit that, after hearing the petitioner as well as the 4th respondent, who seems to be the rival claimants of the land in question, orders would be passed on the representation of the petitioner referred to above, within a time frame to be stipulated by this Court.

5.Considering the said submissions made by both sides, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The representation of the petitioner dated 30.04.2019 shall be considered by the 2nd respondent, on merits and in accordance with law, after hearing the petitioner as well as the 4th respondent by sending them separate notices and thereafter, pass final orders thereon, within a period of eight weeks from the date of receipt of a copy of this order."

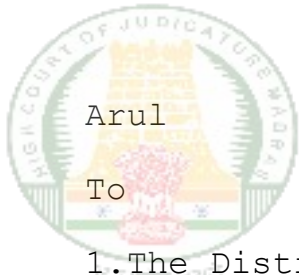
6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



1.The District Collector,
Trichy District.

2.The Tahsildar,
Tiruverambur Taluk,
Thiruverambur,
Trichy District.

3.The Inspector of Police,
Thoovakudi Police Station,
Trichy District.

+1 CC to M/s.V.NAGENDRAN, Advocate (SR-84704[F] dated 30/08/2019)

+1 CC to M/s.SPLGP (SR-84895[F] dated 03/09/2019)

W.P. (MD) No.18860 of 2019
30.08.2019

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