



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.11.2019**

CORAM:

THE HONOURABLE **MR.JUSTICE M.SUNDAR**

W.P (MD)No.23900 of 2019

WEB COPY

T.Joseph

... Petitioner
Vs.

1.The District Collector,
Thanjavur District.

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

3.The Tahsildar,
Office of the Taluk Office,
Tiruvidaimarudur,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to grant patta in the petitioner name in respect of the property in survey No.371/1A, 371/1B, situated at Malaiyur Village, Koothakudi Siru Village, Tiruvidaimarudur Taluk, Thanjavur District, on the basis of the petitioner's representation dated 21.08.2019 within the time stipulated by this Court.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

Mr.B.Jameel Arasu, learned Counsel on record for writ petitioner is before this Court.

2. Mr. B.Bhagawathi, learned Government Advocate accepts notice on behalf of respondents.

3. With consent of both sides, main writ petition is taken up, heard out and is being disposed of.

4. Instant main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 21.08.2019 wherein writ petitioner has sought transfer of patta from the name of his vendor to himself.



5. Notwithstanding several averments/ grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of instant writ petition / prayer in instant writ petition and submits that it will suffice if the third respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 21.08.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the third respondent is the authority who shall consider the aforementioned representation dated 21.08.2019 made by the writ petitioner (page No.17 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 21.08.2019 shall be disposed of by the third respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the representation being considered by the third respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the third respondent shall put on notice and give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter. The authority concerned shall not embark upon any exercise which is within the domain of civil Court jurisdiction.

9. The proceeding / order of disposal of aforementioned representation shall be communicated by the office of the third respondent to the writ petitioner and others concerned if any under due acknowledgement within seven (7) working days from the completion of aforesaid exercise, ie., seven days from date of disposal.

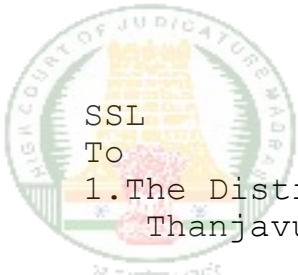
10. Instant Writ Petition is disposed of with the above directions. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar (CS)



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To

1.The District Collector,
Thanjavur District.

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

3.The Tahsildar,
Office of the Taluk Office,
Tiruvidaimarudur,
Thanjavur District.

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-98301[F] dated 14/11/2019)

+1 CC to M/s.GP (SR-98427[F] dated 14/11/2019)

W.P (MD) No.23900 of 2019

13.11.2019

KK/SAR/26.11.2019/3P-6C/