

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2020

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P. No. 28120 of 2013

K.Ramasamy Gounder

.. Petitioner

Vs.

1. The District Collector
Namakkal District, Namakkal.

2. The Revenue Divisional
Tiruchengode, Namakkal District.

3. The Tahsildar
Thiruchengode Taluk
Thiruchengode
Namakkal District.

4. Thulasimani

5. Karuppayee

... Respondents

Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the first respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 26.10.2012 within a stipulated time.

For Petitioner : Mr.C.Prakasam

For Respondents : Ms. A.Madhumathi

Special Government Pleader
(For R1 to R3)

Mr. V.Babu (For R4 & R5)

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O R D E R

Heard Mr. C.Prakasam, learned counsel for the petitioner, Ms. A.Madhumathi, learned Special Government Pleader for the First to Third Respondents and Mr. V.Babu, learned counsel for the fourth and fifth respondents.

2. The petitioner seeks for a direction to the first respondent to consider and pass orders on the petitioner's representation dated 26.10.2012.

3. It is seen that pursuant to the representation made for cancellation of patta, an enquiry was fixed on 20.07.2010 has been intimated to the petitioner by summon dated 13.07.2010.

4. The petitioner's case is that on the said date, he appeared for enquiry and produced entire set of documents to prove his title as well as his possession. However, the respondents 4 and 5 did not produce any documents to substantiate their rights over the property. Though the second respondent has completed the enquiry, till date no orders have been passed. It is not clear as to whether during the pendency of the writ petition if any order has been passed by the second respondent. However, if orders are not been passed, the second respondent is directed to issue fresh notice to the petitioner and respondents 4 and 5 and afford them one more opportunity of hearing and consider the documents, that may be produced and pass a speaking order on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

5. With the above observation, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector
Namakkal District, Namakkal.
 2. The Revenue Divisional
Tiruchengode, Namakkal District.
 3. The Tahsildar
Thiruchengode Taluk
Thiruchengode
Namakkal District.
- +lcc to the Government Pleader, S.R.No.20232.

W.P. No. 28120 of 2013

CP(CO)
VSI-2(29.05.2020)