

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.8851 of 2019

A. Sekar

... Petitioner

Vs.

- 1.The District Collector,
Thiruvannamalai District,
Office of the District Collector,
Thiruvannamalai.
- 2.The Revenue Divisional Officer
Chettupattu Taluk,
Office of the Revenue Divisional Officer,
Chettupattu, Thiruvannamalai District.
- 3.The Tahsildar,
Chettupattu Taluk, Office of the Tahsildar,
Chettupattu, Thiruvannamalai District.
- 4.Ananthi
- 5.N.C. Subramanian

... Respondents

R4 & R5 impleaded vide order dated 04.04.2019 made in
WMP No.1065319 in WP No.8851/19

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, to direct the third respondent to consider the representation dated 03.10.2018 to issue patta in the name of the petitioner with respect to the property situated at No.24, Kottupakkam Village, (Vandavasi Taluk), presently Chettupattu Taluk, Thiruvannamalai District, vacant house site in survey No.64/1A (Old survey No.54/1B) measuring an extent of 866 $\frac{1}{4}$ square feet, with the measurement of north south by 17 $\frac{1}{2}$ yards, East West by 5 $\frac{1}{2}$ yards bounded on the North by street, south by Melacheri Limit, East by Ganesan's house and West by property belonging to Kathirvel within a time frame.

For Petitioner : M/S. M.L. Ramesh

For Respondents : Mr. E. Balamurugan, for R1 to R3
Special Government Pleader
Mr. B. Jawahar, for R4 & R5

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the third respondent to consider the representation made by the petitioner on 03.10.2018 and to issue patta in the name of the petitioner.

2. There is a rival claim between the petitioner and the respondents 4 and 5 with regard to the patta. The patta presently stands in the name of the fourth respondent. The petitioner had therefore sought for cancellation of patta in the name of the fourth respondent and sought for patta in his name. Since the same was not considered, the present writ petition has been filed before this Court.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. Taking into consideration of the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, this Court does not want to go into the merits of the case and there shall be a direction to the second respondent to consider the representation made by the petitioner on 03.10.2018 and deal with the same on its own merits and in accordance with law and after hearing the petitioner and respondents 4 and 5 and shall pass appropriate orders within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of the representation dated 03.10.2018 and a copy of this order.

4. This writ petition is disposed of with the above direction. No costs.

सत्यमेव जयते Sd/-

Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

AT

To

1.The District Collector,
Thiruvannamalai District,
Office of the District Collector,
Thiruvannamalai.

2.The Revenue Divisional Officer
Chettupattu Taluk,
Office of the Revenue Divisional Officer,
Chettupattu, Thiruvannamalai District.

3.The Tahsildar,
Chettupattu Taluk, Office of the Tahsildar,
Chettupattu, Thiruvannamalai District.

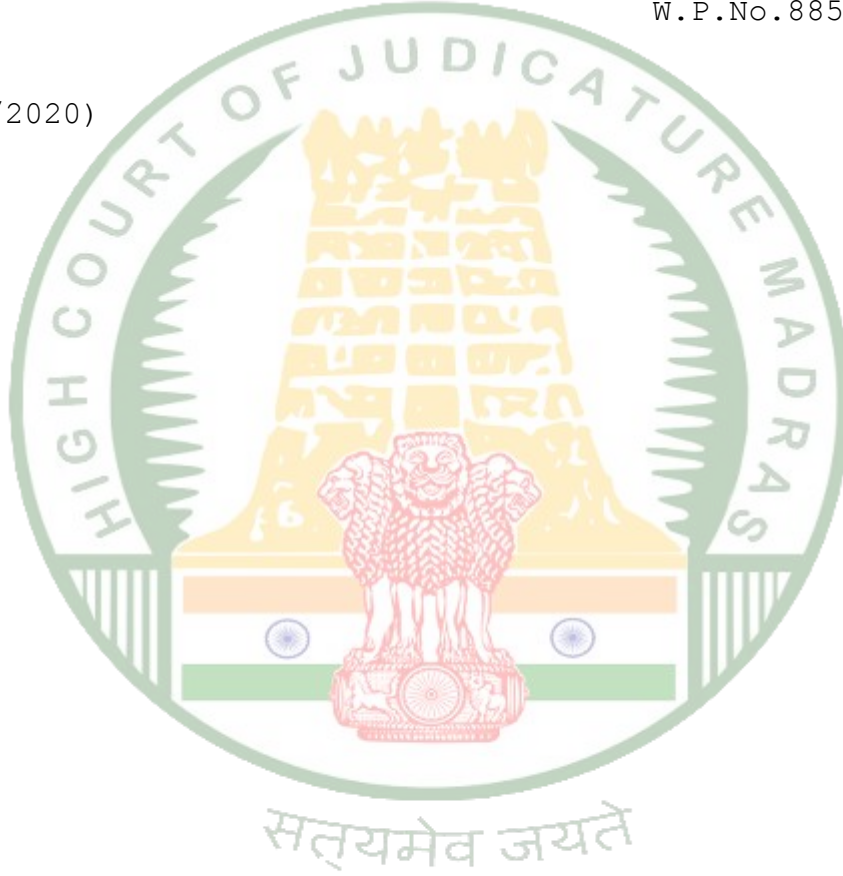
+1cc to Mr.M.L. Ramesh, Advocate SR.No.19020

+1cc to Mr.B. Jawahar, Advocate SR.No.19354

+1cc to Government Pleader, High Court,Madras SR.No.19236

W.P.No.8851 of 2019

PPA (CO)
GMY (10/06/2020)



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