

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9753 of 2020

B.Kanagaraj,
S/o.Balasubramanian,
rep. by his Power Agent
K.R.Raghusundar,
S/o.Rajan.

... Petitioner

Vs.

1. The District Collector,
Coimbatore District,
Coimbatore-641018.

2. The Tahsildhar,
Tahsildhar Office,
Perur, Coimbatore-641010.

3. Sarojini,
W/o.Manickam.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the 2nd respondent to take appropriate action against the 3rd respondent on the basis of the representation dated 02.06.2020 and 06.07.2020 sent by the petitioner within the time fixed by this Hon'ble Court and pass orders.

For Petitioner : Mr.C.Veeraraghavan

For Respondents : Mr.A.Aruldoss, for RR1 & 2
Government Advocate.

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus directing the second respondent to take action on the representation made by the petitioner on 02.06.2020 and 06.07.2020 within the time fixed by this Court.

2.The representation was made by the petitioner only on the ground that the 3rd respondent has filed a suit before the II Additional Subordinate Judge, Coimbatore, in O.S.No.1404 of 2019 and in the said suit, she seems to have filed a patta in Patta No.171 for the property situated in S.F.No.342.

3.According to the petitioner, no such patta was granted in favour of the 3rd respondent and that the patta itself is a forged document. The petitioner therefore, made a representation to the 2nd respondent to take action against the 3rd respondent. Since the same was not considered the present petition has been filed.

4.When this matter came up for hearing on 28.07.2020, this Court passed the following order:

"Mr.Aruldoss, learned Government Advocate, takes notice for the first and second respondents.

2.Post this case under the caption 'For orders" on 12.08.2020. In the mean time, the learned Government Advocate is directed to take instructions from the second respondent as to whether patta No.171, dated 31.07.1996 was given in favour of the third respondent.

3.The learned counsel for the petitioner shall take private notice to the third respondent returnable by 12.08.2020."

5.Today, Mr.A.Aruldoss, learned Government Advocate, appearing on behalf of the 1st and 2nd respondents submitted that no patta has been granted in favour of the 3rd respondent in Patta No.171 dated 31.07.1996 with regard to the subject property.

6.In view of the specific stand taken by the 2nd respondent, no further orders are necessary to be passed in this writ petition and it is enough to record the submission made by the learned Government Advocate.

7.This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Coimbatore District,
Coimbatore-641018.
2. The Tahsildhar,
Tahsildhar Office,
Perur, Coimbatore-641010.
3. The Government Pleader,
High Court, Madras.

+1 cc to Mr.C.Veeraraghavan, Advocate Sr.No.27462
+1 cc to the Government Pleader Sr.No.27413

W.P.No.9753 of 2020

kk (co)
rr ii (08/09/2020)



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