

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.10645 of 2020
and WMP No.12939 of 2020

Nagarajan

..Petitioner

Vs.

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
2. The District Revenue Officer,
Thiruvannamalai District,
Thiruvannamalai.
3. The Revenue Divisional Officer,
Thiruvannamalai,
Thiruvannamalai District.
4. The Tahsildar,
Tandarampet,
Tandarampet Taluk,
Thiruvannamalai District.
5. The Inspector of Police,
Tandarampet Police Station,
Tandarampet, Thiruvannamalai District.
6. Rani
7. Sivalingam
8. Kumar

..Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to transfer the patta in favour of the petitioner for the property admeasuring 1304 Sq.f.t in Plot No.57, comprised in S.Nos.230/1C2 and 230/4C situated at Tandarampet Village and Taluk, Thiruvannamalai District and grant such other order deem fit and proper.

For Petitioner
For Respondents

: Mr.N.Ponraj
: Mr.S.N.Parthasarathy
Special Government Pleader

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to transfer the patta in favour of the petitioner for the subject property.

2. The case of the petitioner is that the subject property was originally a Government land. An assignment patta was granted in favour of the 6th respondent by proceedings in the year 2000. The 6th respondent had constructed a house and he was in possession of the property. The petitioner purchased this property from the 6th respondent by a registered Sale deed dated 22.08.2013. The petitioner claims that thereafter he has been in possession and enjoyment of the property.

3. An attempt was made by the respondents 7 and 8 to encroach upon the property. At that point of time, it was informed that the original assignment granted in favour of the 6th respondent has been cancelled. The petitioner was not able to get the records to show that the assignment was granted in favour of the 6th respondent has been cancelled. The petitioner therefore made a representation to respondents 1 to 4 to transfer the patta in favour of the petitioner. This representation was made on 13.07.2020. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard the learned counsel for the petitioner and Mr.S.N.Parthasarathy, learned Special Government Pleader for respondents 1 to 5.

5. Taking into consideration the facts and circumstances of this case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the representation made by the petitioner on 13.07.2020 strictly in accordance with law. The 3rd respondent shall issue notice to all interested parties before commencing the enquiry and passing appropriate orders. The 3rd respondent shall pass orders within a period of eight weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 3rd respondent along with copy of the representation dated 13.07.2020 and a copy of all other documents along with copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

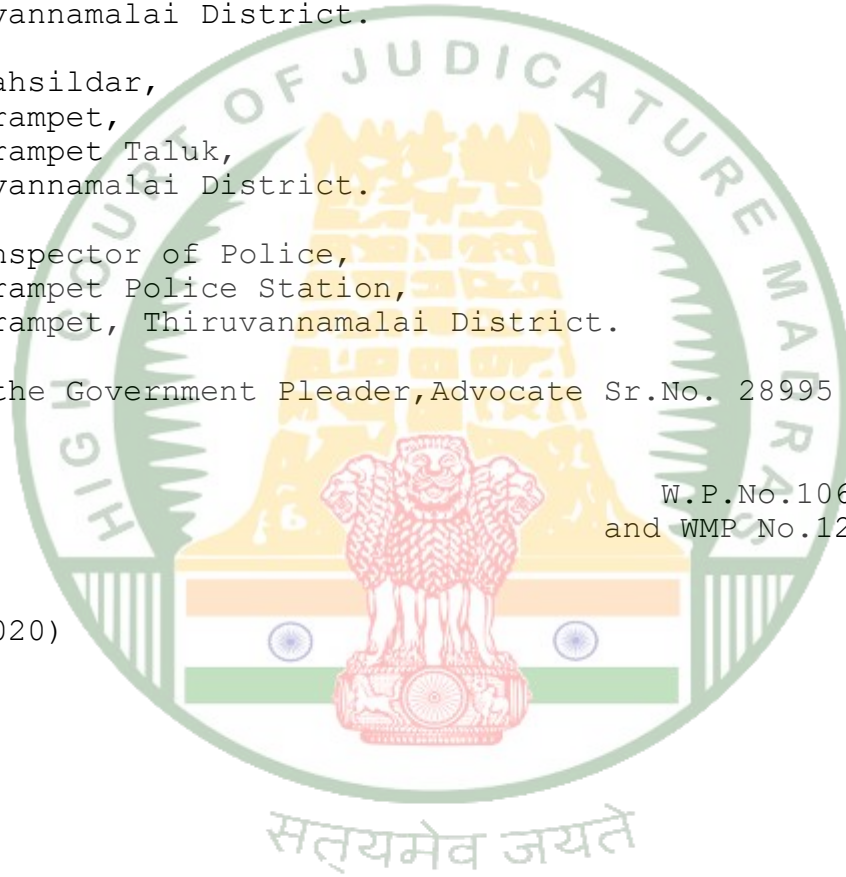
To

1. The District Collector,
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Thiruvannamalai.
2. The District Revenue Officer,
Thiruvannamalai District,
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3. The Revenue Divisional Officer,
Thiruvannamalai,
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4. The Tahsildar,
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Tandarampet Taluk,
Thiruvannamalai District.
5. The Inspector of Police,
Tandarampet Police Station,
Tandarampet, Thiruvannamalai District.

+1 cc to the Government Pleader, Advocate Sr.No. 28995

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