

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.11040 of 2020
and
W.M.P.No.13436 of 2020

G.Ravichandran

... Petitioner

Vs.

1. The District Collector,
Coimbatore District,
Coimbatore.
2. Deputy Collector,
Pollachi,
Coimbatore District.
3. The Tahsildar,
Pollachi Taluk,
Coimbatore District.
4. The District Registrar (Administration)
Tiruppur.
5. The Sub-Registrar,
Gomangalam Sub-Registrar's Office,
Gomangalam,
Coimbatore District.

6. D.Kanchana

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents 1 to 3 from carrying out any mutation in the revenue records or to issue patta to and in favour of the 6th respondent in respect of the property in Survey No.183/A1 situated in Gomangalam Village - Natham Oorkadu, within the limit of Gomangalam Sub-Registration District, Pollachi Taluk, Coimbatore District, without conducting proper survey to fix up the correct boundaries by the Taluk Surveyor to fix up the correct boundaries, as per the title deeds and parental deeds of the petitioner and the 6th respondent and without due notice to the petitioner.

For Petitioner : Mr.R.Neelakandan
For R1 to R3 : Mr.S.N.Parthasarathi
Government Advocate
For R4 and R5 : Mr.T.M.Pappaiah
Special Government Pleader

O R D E R

This writ petition has been filed for issuance of a writ of mandamus forbearing the respondents 1 to 3 from carrying out any mutation in the revenue records based on any application submitted by the 6th respondent.

2.The case of the petitioner is that the 6th respondent had added certain properties belonging to the petitioner by a settlement deed executed in her favour and the 6th respondent did not have any right on those properties. The petitioner made a representation on 25.07.2020 to the respondents 1 to 3 requesting them not to mutate any revenue record based on any application submitted by the 6th respondent without hearing the petitioner. It is brought to the notice of this Court that the representation made by the petitioner had been taken on file and already the 2nd respondent had directed the 3rd respondent to conduct an enquiry by issuing notice to the petitioner and the 6th respondent and pass orders in accordance with law.

3.Heard Mr.R.Neelakandan, learned counsel for the petitioner and Mr.S.N.Parthasarathi, learned Government Advocate, appearing on behalf of the respondents 1 to 3 and Mr.T.M.Pappaiah, learned Special Government Pleader, appearing on behalf of the respondents 4 and 5.

4.Taking into consideration the facts and circumstances of the case and also of the fact that the 3rd respondent has already been directed to conduct an enquiry, there shall be a direction to the 3rd respondent to consider the representation/objection made by the petitioner and deal with it strictly in accordance with the title documents and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

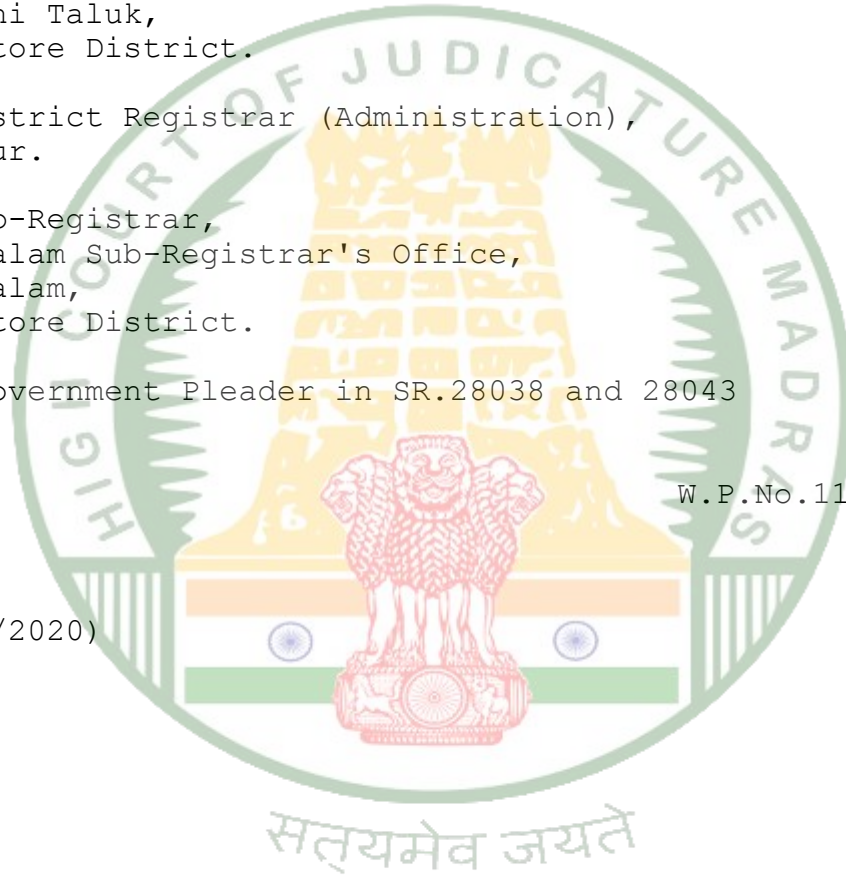
To

1. The District Collector,
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Coimbatore.
2. The Deputy Collector,
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Coimbatore District.
3. The Tahsildar,
Pollachi Taluk,
Coimbatore District.
4. The District Registrar (Administration),
Tiruppur.
5. The Sub-Registrar,
Gomangalam Sub-Registrar's Office,
Gomangalam,
Coimbatore District.

+2cc to Government Pleader in SR.28038 and 28043

W.P.No.11040 of 2020

RJI (CO)
RV (14/09/2020)



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