

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2020

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.25848 of 2017

A.C. Chidambarasamy

...Petitioner

-vs-

1. The Sub Collector,
Office of the Sub Collector,
Gopichettipalayam Taluk,
Erode District.
2. The Tahsildar,
Taluk Office,
Gopichettipalayam Taluk,
Erode District.

3. C. Shanmugam

... Respondents

PRAYER : Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to take action on the basis of his petition dated 04.07.2016 and pass orders within the time stipulated by this Court.

For Petitioner : Ms. K. Kavitha
for Mr.S.B. Viswanathan

For Respondents: Mr.G.B. Rajesh
Government Advocate [R1 & R2]

ORDER

Heard Ms.K.Kavitha, learned counsel for petitioner and Mr.G.B.Rajesh, learned Government Advocate for 1st and 2nd respondents.

2. With consent of learned counsel on either side, the writ petition itself is taken up for final disposal.

3. The Officer report states that the 3rd respondent is dead and the petitioner seeks for a direction upon the first respondent to dispose and take action on the petitioner's representation dated 04.07.2016.

4. In the said representation, the petitioner seeks for enclosure of his name and the name of his brother as a joint pattathar and to delete the 3rd respondent from the said patta.

5. In the light of the fact that the 3rd respondent is no more as per the officer report, the petitioner has to pursue his claim afresh before the 1st respondent. Therefore, the writ petition stands disposed of by giving liberty to the petitioner to approach the 1st respondent by way of a fresh representation wherein, all the legal heirs of the 3rd respondent should be impleaded as respondents and all other joint pattathars should also be arrayed as parties.

6. On receipt of the representation in full form, the 1st respondent is directed to conduct an enquiry and pass orders on merits and in accordance with law within a period of four(4) months from the date on which the representation is given.

With the above direction, the writ petition stands disposed of. No costs.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To

1. The Sub Collector,
Office of the Sub Collector,
Gopichettipalayam Taluk,
Erode District.

2. The Tahsildar,
Taluk Office,
Gopichettipalayam Taluk,
Erode District.

+1 CC to Govt. Pleader sr 9028.

+1 CC to Mr.S.B.Viswanathan, Advocate sr 8003.

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CA(CO)
SP(05/03/2020)