



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.7467 of 2020

V.K.Sivasubramanian

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The District Revenue Officer,
Karur District,
Karur.

3.The Revenue Divisional Officer,
Karur District,
Karur.

4.The Tahsildar,
Karur,
Karur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the third respondent to consider the petitioner's representation dated 16.07.2019, on the basis of the Memo dated 01.08.2019, vide Na.Ka.No.A4/8515/2018 of the third respondent and the Memo dated 26.08.2019, vide Na.Ka.No.A4/2918/2019 of the fourth respondent in accordance with law, within the time to be stipulated by this Court.

For Petitioner	: Mr.Babu Rajendran
For Respondents	: Mr.R.Sethuraman Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to consider the petitioner's representation dated 16.07.2019, on the basis of the Memo dated 01.08.2019, vide Na.Ka.No.A4/8515/2018 of the third respondent and the Memo dated 26.08.2019, vide Na.Ka.No.A4/2918/2019 of the fourth respondent in accordance with law, within the time to be stipulated by this Court.

2.According to the petitioner, he made a representation dated 16.07.2019, to the third respondent challenging the Patta granted in respect of the joint family property in favour of one



Karuppana Gounder on the ground that the properties were sub-divided by the Revenue Authority without the consent of other co-owners. Based on the said representation, the third respondent directed the fourth respondent to conduct an enquiry. While so, the said Karuppana Gounder on the basis of the Patta obtained by him for larger extent, attempted to alienate the property and hence, the petitioner has approached the authorities concerned and also sent E-mail to the respondents 3 and 4 on 27.06.2020, but, no action has been taken so far. Hence, the present Writ Petition.

3.Today, when the matter is taken up for hearing, Mr.R.Sethuraman, learned Special Government Pleader appearing for the respondents, on instructions, would submit that the third respondent has forwarded the representation of the petitioner to the fourth respondent, directing him to conduct an enquiry. He would further submit that S.No.294 has been divided into sub-divisions and therefore, notice has been served to all interested parties. It is also submitted by the learned Special Government Pleader that the representation submitted by the petitioner is not in a proper format and therefore, he may be directed to file an appeal in a proper format before the third respondent.

4.The learned counsel appearing for the petitioner also agreed that the petitioner will file an appeal in a proper format before the third respondent.

5.Recording the abovesaid submission made by the learned counsel appearing for the parties, this Court is inclined to dispose of this Writ Petition with the following directions:-

(i) The petitioner shall file an appeal petition before the third respondent within a period of two weeks from the date of receipt of a copy of this order.

(ii) Thereafter, the third respondent shall proceed with the appeal in accordance with law and dispose the said appeal as expeditiously as possible, after providing an opportunity to the interested parties concerned.

6.This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (Records)

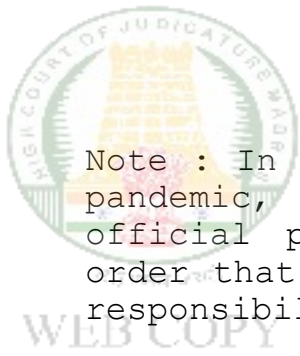
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Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Karur District,
Karur.

2.The District Revenue Officer,
Karur District,
Karur.

3.The Revenue Divisional Officer,
Karur District,
Karur.

4.The Tahsildar,
Karur,
Karur District.

+1 CC to M/s.BABU RAJENDRAN, Advocate (SR-13178[F] dated 22/07/2020)

W.P. (MD)No.7467 of 2020
21.07.2020

AP (28.07.2020) 3P-6C