



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P.(MD)No.3355 of 2018

K.Aasaithambi

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Thanjavur District.

2.The Revenue Divisional Officer,
Vallam Road,
Thanjavur District.

3.The Tahsildar,
Orathanadu Taluk,
Thanjavur District.

4.Prabakaran

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 08.01.2018 within a time stipulated period fixed by this Court.

For Petitioner : Mr.S.Gopala Manikandan
For R1 to R3 : Mr.V.Anand,
Government Advocate

ORDER

This writ petition is filed to direct the second respondent to consider the petitioner's representation dated 08.01.2018 within the stipulated time.

2.Heard Mr.S.Gopala Manikandan, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents.

3.According to the petitioner, the petitioner and his brother are in possession and enjoying the property in S.F.Nos.85/1F3, 102/A1, 83/4A, 4C of Natham Government Poramboke land, situated at Thirumalaikottaiyur Melayur Village, Orathanadu Taluk, Thanjavur District, and also obtained patta for the same. In the said circumstances, the fourth respondent, who is the adjacent land owner of the petitioner's property, has purchased 4 cents of land and after purchasing the said land, he falsely obtained patta in the petitioner's property in S.F.No.102/A1 in his name. Therefore, the petitioner's gave a representation to the respondents 1 to 3 to cancel the patta issued in favour of the fourth respondent in Survey



No.102/A1. Since no action has been taken, the petitioner is before this Court.

4.The learned Government Advocate appearing for the respondents 1 to 3 submitted that the petitioner's representation dated 08.01.2018 is pending before the second respondent and appropriate orders will be passed within the stipulated time.

5.Considering the limited scope of the prayer, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioner's representation dated 08.01.2018 and pass appropriate orders on merits and in accordance with law, after serving notice to the petitioner as well as the private respondent, within a period of twelve weeks from the date of receipt of a copy of this order. If any final order is passed, the same shall be communicated to the petitioner.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CSI)

// True Copy //

/ /2020

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,
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- 3.The Tahsildar,
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MA (CO)

KB (29.09.2020) 2P 4C