



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2021

CORAM:

THE HON'BLE MR.JUSTICE R.MAHADEVAN

WRIT PETITION NO.17816 OF 2015

1.C.Selvarasu
2.Palanisamy
3.Kuppayee

... Petitioners

..Vs..

The Tahsildar,
Namakkal, Namakkal District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 25.05.2015 within a stipulated time.

For Petitioners : Mr.C.Prakasam

For Respondent : Mr.G.Krishnaraja
Government Counsel

ORDER

According to the petitioners, their grand father by name Ramasamy Gounder @ Rama Gounder, owned lands in S.Nos.252/7A1, 252/2A1 and 252/6A1, situated at Rasampalayam Village, Namakkal District. The said lands were jointly enjoyed by the petitioners along with their paternal uncle's sons viz., Marappan and Ramasamy. While so, a dispute arose with regard to such enjoyment, which ended in a compromise entered into between the parties, as per which, the paternal uncle's sons will not prevent the petitioners from enjoying the said lands and obtaining patta in their names. However, they got patta bearing no.590 in their names alone. Hence, the petitioners made a representation to the respondent on 25.05.2015 requesting to include their names and issue joint patta along with their paternal uncle's sons in respect of the subject lands. However, no action was taken on the said representation. Therefore, the petitioners have filed this writ petition seeking appropriate direction to the respondent in this regard.



2. Heard both sides and perused the materials placed before this court.

3. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this court directs the respondent to consider the representation of the petitioners dated 25.05.2015 if not considered earlier, and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioners as well as all the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

4. This Writ Petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

gbi

To

The Tahsildar,
Namakkal, Namakkal District.

+1cc to the Government Pleader, S.R.No.38449

W.P.No.17816 of 2015

RLD(CO)
CS/29/09/2021