

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2021

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.No. 9187 of 2021

S.Kalavathi,
W/o. Subramani

... Petitioner

Versus

1. The District Collector,
O/o. The Collectorate Building,
Krishnagiri Dt.
2. The Revenue Divisional Officer,
O/o. The Collectorate Building,
Krishnagiri Dt.
3. The District Registrar,
Krishnagiri District Registration Office,
Krishnagiri.
4. The Sub-Registrar,
Uthangarai Sub-Registration Office,
Uthangarai, Krishnagiri Dt.
5. Osarayan,
S/o. Lingannan
6. Sivakumar,
S/o. Osarayan
7. Senthilnathan,
S/o. Mani

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to

conduct an enquiry in respect of land to an extent of 1776 sq.ft. comprised in Survey No.237/21 situated at Panamarathupatti (Kallavi Village), Uthangarai Taluk, Krishnagiri District and to pass a suitable order within a stipulated time by considering the petitioner's representation dated 22.01.2021.

For Petitioner : M/s. Law Vision,
Mr.N.Vijaya Basker

For Respondents : Mr.E.Balamurugan,
Special Govt. Pleader
for R1 and R2

Mr.T.M.Pappiah,
Special Govt. Pleader for R3

O R D E R

(The case has been heard through video conference)

This Writ Petition has been filed seeking a direction directing the 2nd respondent to conduct an enquiry and to pass suitable order within a stipulated time based on the petitioner's representation dated 22.01.2021.

2. In view of the order is going to be passed in the present Writ Petition, which will not prejudice the interest of the respondents 5 to 7, the notice to the respondents 5 to 7 are dispensed with.

3. The grievance of the petitioner is that, he is in possession and enjoyment of property in Survey Nos.237/19 and 237/20 at Panamarathupatti Village, Uthangarai Taluk, Krishnagiri District. However, the respondents 5 to 7 have created a forged document and claiming title over the same. Hence, the petitioner has made a representation dated 22.01.2021 to the 2nd respondent to conduct enquiry, however, so far, his representation was not considered and it was not disposed of. Hence, the present Writ Petition has been filed by the petitioner.

4. The learned counsel appearing for petitioner would submit that in a similar set of circumstances, a neighbouring landowner, whose property is situated in the very same survey number, the patta was also transferred in the name of respondents 5 to 7. He has made a representation to the 2nd respondent, and it was kept pending, hence, he has approached this Court in W.P.No.5216 of 2021 and this Court by an order dated 05.03.2021 directed the 2nd respondent to consider the representation and the enquiry is posted on 21.05.2021 and submitted that the petitioner's representation also be considered along with the said representation.

5. Considering the fact that already a complaint given by the neighbouring landowner is now pending for enquiry, and this Court directed the 2nd respondent to consider the representation and pass orders, this court directs the 2nd respondent to conduct enquiry on the petitioner's representation along with another representation filed by the neighbouring landowner on 21.05.2021 and to pass orders on merits in accordance with law after giving opportunity to the petitioner as well as respondents 5 to 7 within a period of eight weeks from the date of receipt of copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

s/d-
Assistant Registrar (CS VII)

True Copy

Sub-Assistant Registrar

rpp

To

1. The District Collector,
O/o. The Collectorate Building,
Krishnagiri Dt.

2. The Revenue Divisional Officer,
O/o. The Collectorate Building,
Krishnagiri Dt.

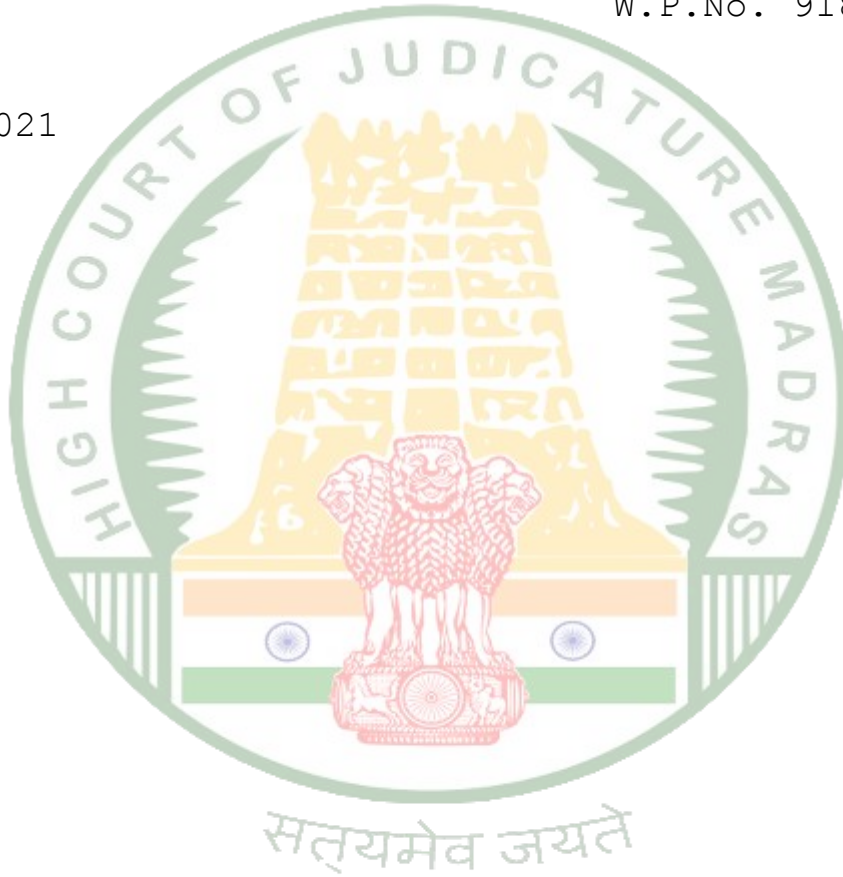
3. The District Registrar,
Krishnagiri District Registration Office,
Krishnagiri.

4. The Sub-Registrar,
Uthangarai Sub-Registration Office,
Uthangarai, Krishnagiri Dt.

+ 1 cc to Government Pleader SR.23382, 23111

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GPL(CO)
Eu 6.5.2021



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