



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO. 10424 OF 2019

V.G.Balakrishnan

... Petitioner

Versus

1. The District Revenue Officer,
Nagappatinam, Nagappatinam District.
2. The Revenue Divisional Officer,
Myladuthurai, Nagappatinam District.
2. The Tashildar,
Kuthullam Taluk,
Nagappatinam District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner dated 13.04.2018 within a time frame fixed by this Court.

For Petitioner : Mr.S.Arokia Maniraj

For Respondents : Mr.V.Veluchamy
Government Advocate.

ORDER

This writ petition has been filed seeking for a direction to the respondents 1 and 2 to consider the representation of the petitioner dated 13.04.2018 within a time frame fixed by this Court.



2. The case of the petitioner is that the property situated at Peravoor Village, Nagapattinam District, comprised in S.No.18/8 measuring to an extent of 15 cents and in S.No.18/9 measuring to an extent of 15 cents of land was originally belonged to his great-grandfather namely Duraisamy and the same was inherited by his grandmother namely Anjalai in the year 1980 vide deed of Will. After his demise of great-grandparents, the petitioner is in possession and enjoyment of the same for the past 40 years without any hindrance. Subsequently, when all the Revenue Records to transfer in his name by approaching the 3rd respondent, he came to know that the Patta has already been fraudulently changed in the name of Mr.Rajendran who has no semblance of right over the petitioner's property. Immediately, he lodged a complaint to the third respondent and seeks to restore the patta in his name. Therefore, the petitioner gave a representation dated 13.04.2018 to the respondents 1 & 2 to take action against the erring person for fraudulently transferring the Patta and the same was acknowledged by the respondents, but, till date, no action has been taken on his representation. Hence, the petitioner has come forward with the present writ petition under Article 226 of the Constitution of India.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents 1 and 2 to consider the representation of the petitioner dated 13.04.2018 within a time frame fixed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents 1&2 to consider the petitioner's representation dated 13.04.2018 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity to the parties concerned and conduct an inquiry, within a period of twenty weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

gba



To

1. The District Revenue Officer,
Nagappatinam, Nagappatinam District.
2. The Revenue Divisional Officer,
Myladuthurai, Nagappatinam District.
3. The Tashildar,
Kuthullam Taluk,
Nagappatinam District.

+lcc to M/s.S.Arokia Maniraj, Advocate, S.R.No.56496

W.P.No.10424 of 2019

PCH(CO)
RLP(02/12/2021)