

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 07.04.2021

CORAM:

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.No.23733 of 2018

M.Thiagarajan

... Petitioner

Vs.

1.The Revenue Tahsildar,
Tirukovilur Taluk,
Villupuram District 605 757.

2.The Sub Collector,
Tirukoilur Taluk, Villupuram District.

3.The District Revenue Officer,
Villupuram.

4.J.Janardhanan

5.Parthiban

... Respondents

Prayer: Petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to modify the Patta in respect of S.No.23/5 of No.172, T.Sathanur Village, Tirukoilur Taluk, Villupuram District by deleting the name of the 4th and 5th respondents and restoring the petitioner's name in the Revenue Records including patta by considering the representation of the petitioner dated 27.08.2018, filed with the 1st respondent herein.

For Petitioner

: Mr.D.Rajagopal

For Respondents 1 to 3 : Mr.J.Pothiraj
Special Government Pleader
For 5th Respondent : Mr.Avinash Wadwani
For Mr.V.Raghavachari

ORDER

The prayer sought for herein is for a writ of mandamus directing the first respondent to modify the Patta in respect of S.No.23/5 of No.172, T.Sathanur Village, Tirukoilur Taluk, Villupuram District by deleting the name of the fourth and fifth respondents and restoring the petitioner's name in the Revenue Records including patta by considering the representation of the petitioner dated 27.08.2018, filed with the first respondent herein.

2.In respect of patta for the land at Survey No.23/5 of No.172, T.Sathanur Village, Tirukoilur Taluk, Villupuram District, the petitioner seems to have made a request on 27.08.2018 to the first respondent to remove the name of the private respondents in that patta and to include the name of the petitioner.

3.Since the said request has not been considered for longer time, the petitioner had filed this writ petition with the aforesaid prayer.

4.The learned counsel appearing for the petitioner seeks indulgence of this Court to give a direction to the respondents, especially the first respondent to decide the request of the petitioner dated 27.08.2018, of course by giving an opportunity of being heard to both parties and decide the same on merits within a time frame that may be stipulated by this Court.

5.Heard Mr.J.Pothiraj, learned Special Government Pleader appearing for the official respondents, who would submit that, the said request would be decided on merits, of course after giving an opportunity to both sides.

6.The learned counsel appearing for the private respondents would also agree by the said action on the part of the first respondent to dispose the representation dated 27.08.2018 by giving an opportunity of being heard to both the petitioner as well as the private respondent.

7.I have considered the said submissions made by the learned counsel appearing for the parties and have perused the materials placed before this Court.

8.In view of the innocuous nature of the prayer sought for by the petitioner, where, his request dated 27.08.2018 was with regard to change of name in the patta, referred to above, as claimed by the petitioner, this Court is inclined to dispose of this writ petition by taking into account the respective submissions made in this regard by the learned counsel.

9.There shall be a direction to the first respondent i.e., the Revenue Tahsildar, Tirukovilur Taluk, Villupuram District to decide the representation of the petitioner dated 27.08.2018 pertaining to the patta in respect of S.No.23/5 of No.172, T.Sathanur Village, Tirukovilur Taluk, Villupuram District by giving an opportunity of being heard to both the petitioner as well as the fourth and fifth respondents by issuing separate notice intimating the date of hearing within a period of four weeks from the date of receipt of a copy of this order.

10.After receipt of the notice, the petitioner as well as the private respondents can appear before the first respondent on the date mentioned in the notice and after hearing them, let the first respondent decide the

representation of the petitioner dated 27.08.2018 on merits and in accordance with law and pass final orders thereon after two weeks.

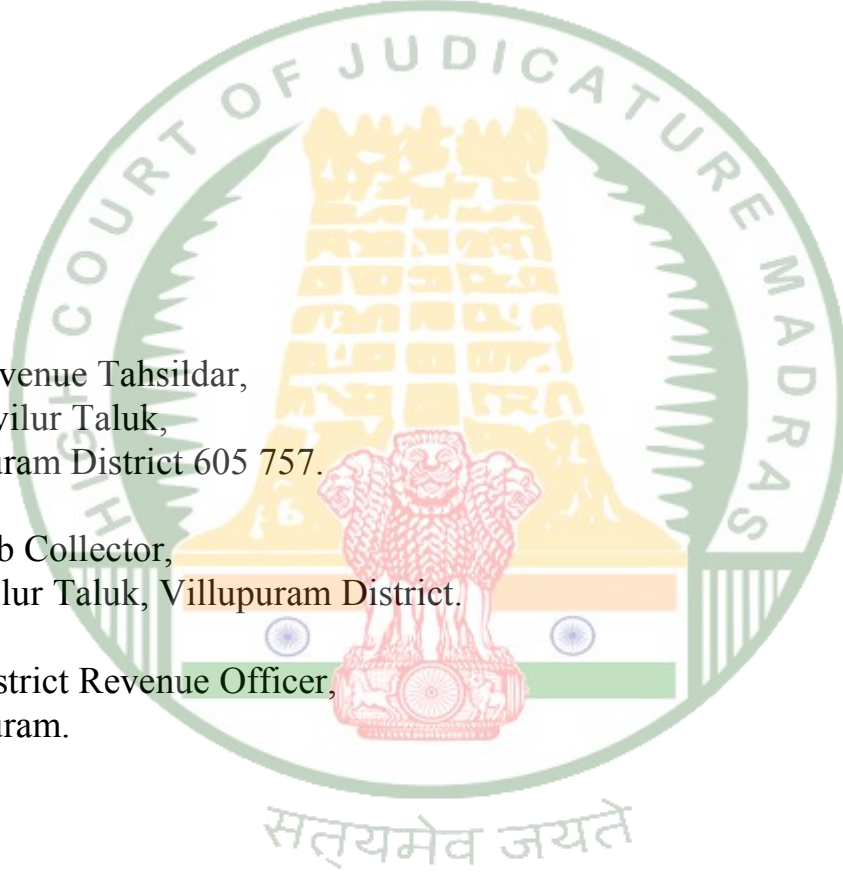
11.With these directions, this Writ Petition is disposed of. No costs.

07.04.2021

Sgl

To

- 1.The Revenue Tahsildar,
Tirukovilur Taluk,
Villupuram District 605 757.
- 2.The Sub Collector,
Tirukoilur Taluk, Villupuram District.
- 3.The District Revenue Officer,
Villupuram.



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R.SURESH KUMAR, J.
Sgl



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