



WEB COPY



W.P.No.31881 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2022

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.31881 of 2022

A.Ganesan

. . . Petitioner

Vs.

1. The Collector
Chengalpattu,
Chengalpattu District.
2. The Tahsildar,
Office of the Thasildar,
Thirukazhukundram,
Thirukazhukundram Taluk,
Chengalpattu District.
3. C.Dilip Kumar
4. G.Senthilnathan

. . . Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any Writ or Direction, directing the 2nd Respondent to consider the petitioner's representation for conducting the enquiry based on the recommendation of the 1st Respondent and dispose of the Petitioner's representation dated 28.10.2022 within the time frame that may be fixed by this Court.



W.P.No.31881 of 2022

For Petitioner : M/s.S.Arokiamaniraj
For Respondents : Mr.U.Baranidharan,
Additional Government Pleader for R1 & R2

ORDER

The present petition has been filed seeking a direction to the 2nd respondent to consider the petitioner's representation dated 28.10.2022 as per the direction issued by the 1st respondent and pass appropriate orders on the same on merits, within the time that may be stipulated by this Court.

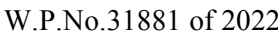
2. Mr.U.Baranidharan, learned Additional Government Pleader takes notice for Respondents 1 & 2.

3. Since, no adverse order is being passed against the private respondents, notice to private respondents/respondents 3 & 4 is dispensed with.



W.P.No.31881 of 2022

4. It is the case of the petitioner that the petitioner being absolute owner of the subject property executed a power of attorney in favour of respondents 3 & 4, based on the said power of attorney, the respondents 3 & 4 have alienated said property by converting the property into housing plots. Thereafter, the petitioner had cancelled the said power of attorney and filed suits in O.S.Nos.12 & 13 of 2021 as against the alienation of the above said property and the said suits are pending on the file of the Subordinate Court at Chengalpattu. During the pendency of suits, the private respondents, have approached the 2nd respondent for transfer of patta in their favour in respect of the above said property. Being aggrieved by the same, the petitioner made a representation dated 28.11.2017 to the respondents 1 & 2 seeking not to transfer patta in favour of private respondents in view of the pendency of suits, pursuant to which, the 1st respondent issued a direction to the 2nd respondent to consider the petitioner's representation vide order dated 16.10.2018, however, the same was not considered. Therefore, the petitioner made a representation to the 2nd respondent/Tahsildar for the very same relief. However, till date, no action has been taken on the said representation. Hence, the present petition has been filed.



6. On the above contentions, this Court heard the learned Additional Government Pleader appearing for the respondents.

7. In view of the limited relief sought for by the learned counsel for the petitioner, this Court without going into the merits of the case, directs the 2nd respondent/tahsildar to consider the petitioner's representation dated 28.10.2022 on the basis of the direction issued by the 1st respondent vide order dated 16.10.2018 and pass appropriate orders on the same in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as to the aggrieved parties if any, within a period of twelve weeks from the date of receipt of a copy of this order.



W.P.No.31881 of 2022

8. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs.

29.11.2022

NHS

Index : Yes / No

Internet : Yes / No

To

1. The Collector
Chengalpattu,
Chengalpattu District.
2. The Tahsildar,
Office of the Thasildar,
Thirukazhukundram,
Thirukazhukundram Taluk,
Chengalpattu District.



WEB COPY



W.P.No.31881 of 2022

M.DHANDAPANI, J.

NHS

W.P.No.31881 of 2022

29.11.2022