



W.P.No.10594 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2024

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.10594 of 2020
and W.M.P.Nos.12875 & 12878 of 2020

1.S.Aavaranam

2.S.Mohan

3.S.Aruldoss

... Petitioners

Vs.

1.The Director,
Adi-Dravidar Welfare Department,
Thattanchavadi,
Puducherry – 605 009.

2.S.Vaithiyalingam

3.V.Punitha

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the first respondent to take action on the basis of the representation dated 02.07.2018 made by the third petitioner by canceling the patta in respect of plot No.125, Indira Nagar, Kirumambakkam & Post, Bahour Commune, Puducherry – 607 402 standing in the name of the third respondent.

For Petitioner : M/s.R.Rathi



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for Mr.M.Gnanasekar

For Respondent 1 : M/s.G.Dejarany,
Government Advocate (Pondy)

For Respondents 2 & 3 : No Appearance

ORDER

The petitioner has filed this petition seeking direction to the first respondent to take action on the basis of the representation dated 02.07.2018 made by the third petitioner by canceling the patta in respect of plot No.125, Indira Nagar, Kirumambakkam & Post, Bahour Commune, Puducherry – 607 402 standing in the name of the third respondent.

2. The case of the petitioners is that the subject property situated in Survey No.69-128, bearing Plot No.125 to the extent of 84 sq.mtr belongs to one C.Gengan, who is the elder brother of second and third petitioner's father and patta was also issued to him for the said property. Thereafter, the said C.Gengan and his family jointly executed a sale agreement on 21.12.2000 in favour of first petitioner for a valuable sale consideration of Rs.25,001/-. In this regard, a sum of Rs.15,000/- was paid in advance and a remaining sum of Rs.10,000/- was agreed to be paid after six months. This being the case,



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patta which was in the name of C.Gengan was transferred in the name of one Punitha, who is the third respondent herein. Thus, the third petitioner has given a complaint/representation before the first respondent to initiate against the respondents 2 & 3. However, till date no order has been passed. Hence, the petitioners have come forward with the present writ petition.

4. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioners submitted that, it would suffice, if this Court issues direction to the first respondent to consider the third petitioner's complaint/representation dated 02.07.2018 and pass appropriate orders on merits within a particular time frame to be fixed by this Court.

5. The learned Additional Government Pleader appearing for the first respondent has no objection for the said order being passed by this Court.

6. Heard the learned counsel on either side and perused the materials placed on record.

7. Taking into consideration the factual aspects of the matter, this Court



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without going into the merits of the case, directs first respondent to consider the third petitioner's complaint/representation dated 02.07.2018 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

8. This Writ Petition is disposed of with the aforesaid observation and direction. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes/No

Speaking Order : Yes/No

To:

The Director,
Adi-Dravidar Welfare Department,
Thattanchavadi,
Puducherry – 605 009.



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J.SATHYA NARAYANA PRASAD,J.

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