



W.P(MD)No.13087 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.13087 of 2023

J.Jebasthiyan Arockal

... Petitioner

Vs.

1.The District Collector,
Tenkasi.

2.The District Revenue Officer,
Office of the District Collectorate,
Tenkasi.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tenkasi.

4.Thambirattiyamman Temple,
Keelapuliyoor,
Tenkasi District.

... Respondents

*(R4 is impleaded vide order dated 20.07.2023
in W.M.P.(MD)No.14304 of 2023 in
W.P.(MD)No.13087 of 2023*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd respondent execute the order of the 1st respondent in



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Oo.Mu.No.COLR/951/2023-H3 dated 12.01.2023 and consequently directing the respondent No.1 to dispose the petitioner's representation dated 26.09.2022 within the time frame stipulated by this Court.

For Petitioner : Mr.A.B.Jeeva

For Respondents : Mr.A.Kannan,
Addl. Government Pleader for R1 to R3.
Mr.S.P.Majarajan for R4.

ORDER

This writ petition is filed for issuing a Writ of Mandamus, directing the third respondent to execute the order of the 1st respondent passed in Oo.Mu.No.COLR/951/2023-H3 dated 12.01.2023 and to direct the respondent No.1 to dispose the petitioner's representation dated 26.09.2022 within a stipulated time.

2.The case of the petitioner is that one the petitioner's vendor namely, Litti.K.Aliyas purahsed a property to an extent of 8 Acres and 35 Cents from Sankaralinga Devar, Sudalaiyandi and Pechiyammal on 12.02.1991. She in turn sold the same to the petitioner vide registered



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sale deed dated 26.03.1996 registered on the file of Sub Registrar Joint – I, Tenkasi. Thereafter, the petitioner was in possession and enjoyment of the same. The revenue records are also mutated in the name of the petitioner. In the meanwhile, the petitioner's vendor / Litti.K.Aliyas made claim over the said property. Hence, the petitioner filed suit in O.S.No.193 of 2013 against his vender as well as Corporation seeking permanent injunction and transfer of patta in his name. The said suit was decreed in favour of the petitioner vide judgment and decree dated 28.08.2014. Thereafter, the petitioner sent a representation dated 26.09.2022 to the first respondent seeking change of patta in his name. The first respondent forwarded the said representation to the third respondent on 12.01.2023. Since no action was taken on the said representation, the present writ petition has been filed.

3.The learned Additional Government Pleader for the official respondents submitted that the petitioner's representation will be considered and final order will be passed as expeditiously as possible.



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4.Considering the facts and circumstances of the case, the third respondent is directed to issue notice to all the concerned parties including the fourth respondent herein and dispose of the petitioner's representation on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

5.This writ petition is disposed of accordingly. No costs.

18.01.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The District Collector,
Tenkasi.
- 2.The District Revenue Officer,
Office of the District Collectorate,
Tenkasi.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tenkasi.



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V.BHAVANI SUBBAROYAN, J.

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