



W.P.(MD)No.5308 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.5308 of 2025

M.Manimaran

.... Petitioner

/Vs/

1.The District Collector,
Collectorate Office,
Sivagangai,
Sivagangai District.

2.The Revenue Divisional officer,
Sivagangai,
Sivagangai District.

3.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

4.S.Sowmiyamoorthy
5.K.Rajavel Uдайappan
6.P.Thiyagalingam
7.Subhaseetha
8.S.Nagamoorthy
9.P.Palaniappan

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the respondents 1 to 3 herein to consider the petitioner's representation and conduct enquiry, pass orders



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in accordance with law on the basis of the petitioner's representation dated 05.06.2024 within the time that may be stipulated by this Court.

For Petitioner : Mr.K.Maheshraja
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner claiming to be an Advocate and having entered into an agreement of sale for purchase of the subject lands in survey numbers 168/2, 16/3C, 73/6 80/18 and 80/3, Alavakottai Village, Sivagangai Taluk, Sivagangai District, seeks disposal of his representation dated 05.06.2024 to conduct an enquiry and not to effect patta transfer in respect of the subject lands.

2. I have heard the learned counsel for the petitioner as well as Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents.

3. The learned counsel for the petitioner submits that the petitioner has parted with huge advance of Rs.15,00,000/- for purchase of the



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subject lands and has also filed a suit for specific performance of the agreement of sale in his favour in O.S.No.40 of 2024 which is pending on the file of the District Munsif Court, Sivagangai. He therefore, seeks that the interest of the petitioner is required to be protected pending the suit for specific performance and any mutation by way of transfer of patta in respect of the subject lands would seriously prejudice the interest of the petitioner.

4. The learned counsel for the petitioner would also invite my attention to the communication dated 24.12.2024 in and by which, the first respondent has written to the second respondent to dispose of the petitioner's representation dated 05.06.2024 in accordance with law. The petitioner only seeks expeditious disposal of said representation dated 5.6.2024.

5. Mr. B. Saravanan, learned Additional Government Pleader appearing for the respondents would submit that the matter is purely a civil dispute and the petitioner being only an agreement holder, cannot seek the relief which he claims by way of his representation.



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6. Be that as it may, when the petitioner's representation dated 05.06.2024 has been taken on file, the first respondent has also directed the second respondent to pass orders only on merits in accordance with law, nothing prevents the second respondent for passing suitable orders.

7. In view of the above, the writ petition is disposed of with a limited direction to the second respondent to consider and pass orders on the petitioner's representation dated 05.06.2024, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.

am

Order made in
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