

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.04.2013

CORAM

THE HONOURABLE MR.JUSTICE S.TAMILVANAN

W.P. No.12963 of 2006

T.K.Deivasigamani

... Petitioner

-vs-

1. The Collector,
Namakkal District

2. The Tahsildar, Taluk Office,
Tiruchengode Taluk,
Namakkal District

3. The Commissioner,
Tiruchengode Municipality,
Tiruchengode, Namakkal District

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus directing the second respondent to transfer the land in Survey No.46/1 and 46/2 in favour of Municipality enabling the third respondent to lay a thar tapped 16 feet road in Survey Nos.46/1, 46/2 and 49 as per the direction of the first respondent in his order O.Mu.9503/04/L6 dated 22.04.2004.

For Petitioner : Mr.V.Subbarayan

For Respondents : Mr. S.Navaneethan,
AGP for R1 & R2

Mr. G.Sankaran for R3

O R D E R

In the previous hearing, there is no representation for the petitioner, hence, it is ordered to be posted under the caption 'for dismissal'. Even today, there is no representation for the petitioner and the third respondent, though the learned Additional Government Pleader appearing for R1 and R2 is ready. The non-appearance of the petitioner continuously shows that the petitioner is not interested in prosecuting the writ petition.

2. Learned Additional Government Pleader appearing for respondents 1 and 2 submits that the petitioner/third party is seeking relief of mandamus directing the second respondent/Tahsildar, Tiruchengode Taluk, Namakkal District to transfer the land in Survey No.46/1 and 46/2 in favour of Municipality enabling the third respondent to lay a thar tapped 16 feet road in Survey Nos.46/1, 46/2 and 49.

3. The property stated in this writ petition belonged to some other person, hence according to the learned Additional Government Pleader appearing for respondents 1 and 2, this writ petition itself is not maintainable and liable to be dismissed.

4. In the result, the writ petition is dismissed. Consequently connected M.P is also dismissed. No order as to costs.

Sd/
Asst. Registrar

/True Copy/

Sub Asst.Registrar

vga

To

1. The Collector,
Namakkal District

2. The Tahsildar, Taluk Office,
Tiruchengode Taluk,
Namakkal District

3. The Commissioner,
Tiruchengode Municipality,
Tiruchengode, Namakkal District

+1 CC to Government Pleader, Sr.No.23125.

+1 CC to G.Sankaran, Advocate, Sr.No.22916.

W.P. No.12963 of 2006

MRD (CO)
KP (05.06.2013)