

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20619 of 2015

1.P.Sampath Mesthri
2.K.Kanniappan
3.S.Subramani
4.Pitchandi

... Petitioners

Vs.

1 The Land Commissioner
Chepauk Chennai.
2 The District Collector
Kancheepuram
3 The District Revenue Officer
Kancheepuram
4 The Tahsildar
Taluk Office Kancheepuram
5 Mr.Rajmohan
6 Neelagand Mudaliar
7 S.Sridharan

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 4 to consider the petitioners representation dated 07.01.2015 consequently direct the respondents 1 to 4 to cancel the pattas viz. patta No.689 patta No.184 and Patta No.129 stands in the name of respondents 5 to 7 respectively.

For Petitioners: Mr.B.Manimaran

For Respondents: Mr.V.Subbiah for R1 to R4
Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioners would state that the lands admeasuring to an extent of 14 acres and 38 cents comprised in S.Nos.267/1, 267/2, 268/2, 268/3 and 269/2 situated in Konerikuppam Village, Kancheepuram District originally belongs to their grand-father who died intestate leaving behind the legal heirs and the petitioners are the legal heirs of the above said persons. It is the case of the petitioners that the respondents 5 to 7 managed to obtain patta nos.689, 184 and 129 from the fourth respondent and even during the lifetime of the father of the third petitioner a representation was given for cancellation of the patta and since it was not considered, the said person filed writ petition in W.P.No.29986 of 2011 to consider his representation and pass orders and this Court vide order dated 06.09.2012 directed the respondents 2 to 4 therein to consider and pass orders. The petitioners would further state that though enquiry was conducted, no order was passed and according to them, respondents 5 to 7 are nothing but land grabbers. The petitioners in this regard have also submitted a detailed representation dated 07.01.2015 to the respondents 1 to 4 and though it was acknowledged, no response is forthcoming and hence came forward to file this writ petition.

3.Heard the submissions of Mr.B.Manimaran, learned counsel appearing for the petitioners, and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents 1 to 4.

4.This Court in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioners directs the third respondent to consider and dispose of the petitioners' representation dated 07.01.2015 in accordance with law after putting on notice the respondents 5 to 7 and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as the respondents 5 to 7. The writ petition is disposed of accordingly. No costs.

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Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1 The Land Commissioner
Chepauk Chennai.
- 2 The District Collector
Kancheepuram
- 3 The District Revenue Officer
Kancheepuram
- 4 The Tahsildar
Taluk Office Kancheepuram.

+1cc to M/s. B. Manimaran, Advocate, S.R.No.35074

+1cc to the Government Pleader, S.R.No.35154

W.P.No.20619 of 2015

PPA(CO)
Eu 28.07.15



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