

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.31095 of 2014

and

M.P.No.1 of 2014

K.M.Govindasamy

.. Petitioner

Vs.

1.The District Collector,
Vellore District.
Vellore.

2.The District Revenue Officer,
Vellore District,
Vellore.

3.The Tahsildar,
Thirupathur Taluk,
Thirupathur,
Vellore District.

4.The Deputy Superintendent of Police,
Prevention of Land Grabbing Section,
Vellore-9.

5.D.Govindaraj

.. Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the third respondent /Tahsildar to conduct an enquiry, under Section 10 of the Tamil Nadu Patta Passbook Act, 1983, in pursuance of the representation of the petitioner, dated 2.6.2014 and pass necessary orders with regard to the cancellation of the patta issued in favour of the fifth respondent, without following the due process of law.

For Petitioner : Mr.P.Rathanavel
For Respondents : Mr.V.Jayaprakash Narayanan,
Spl.G.P
for RR1 to 4
No appearance for R-5

ORDER

Heard the learned counsel appearing on behalf of the petitioner, as well as the learned counsel, appearing on behalf of the respondents 1 to 4. There is no representation on behalf of the fifth respondent.

2 This writ petition has been filed by the petitioner, praying that this Court may be pleased to issue a Writ of Mandamus, directing the third respondent/ Tahsildar to conduct an enquiry, under Section 10 of the Tamil Nadu Patta Passbook Act, 1983, pursuant to the representation of the petitioner, dated 2.6.2014 and pass necessary orders, with regard to the cancellation of the patta, issued in favour of the fifth respondent, without following the due process of law.

3 Though various grounds have been raised in the affidavit filed in support of the writ petition, the learned counsel appearing on behalf of the petitioner has submitted that it would suffice, if the third respondent is directed to dispose of the representation, dated 2.6.2014, on merits and in accordance with law, within a specified period.

4 In view of the averments made in the affidavit filed in support of the writ petition and in view of the submissions made by the learned counsel, appearing on behalf of the petitioner, this Court finds it appropriate to direct the third respondent to dispose of the representation of the petitioner, dated 2.6.2014, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioner, as well as to the fifth respondent and the other persons concerned, if any. The petitioner shall furnish a copy of the representation, dated 2.6.2014, to the third respondent, along with a copy of this order. However, it is made clear that this Court, by this order, has not expressed any opinion on the merits of the matter.

5 The writ petition is disposed of, with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Vellore District.
Vellore.

2.The District Revenue Officer,
Vellore District,
Vellore.

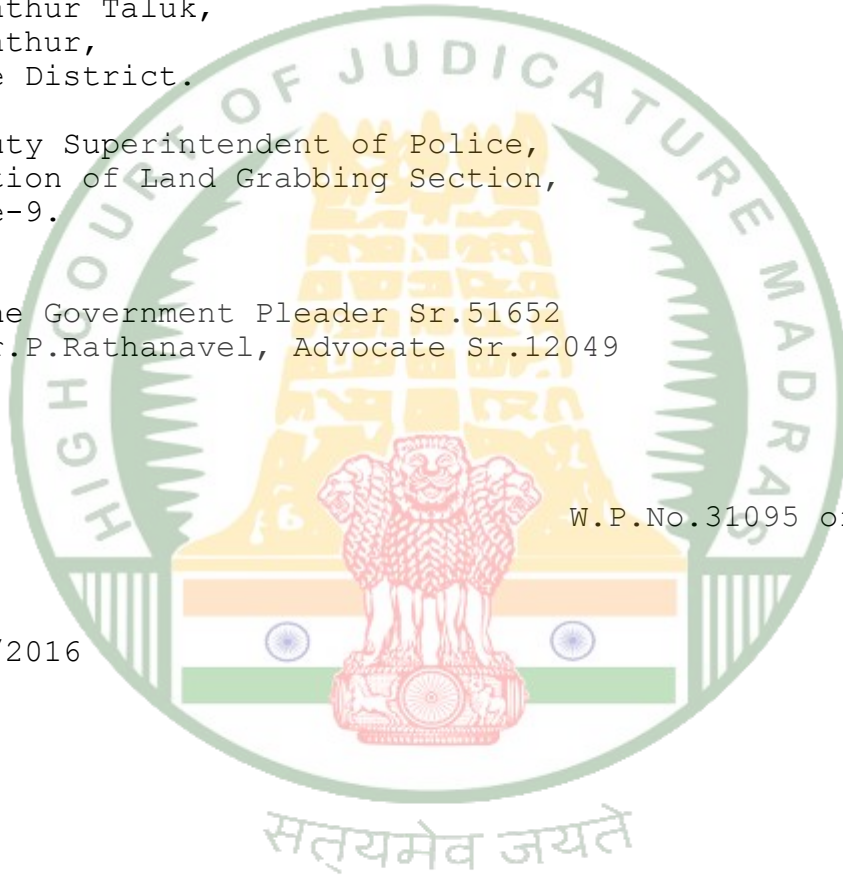
3.The Tahsildar,
Thirupathur Taluk,
Thirupathur,
Vellore District.

4.The Deputy Superintendent of Police,
Prevention of Land Grabbing Section,
Vellore-9.

+lcc to the Government Pleader Sr.51652
+lcc to Mr.P.Rathanavel, Advocate Sr.12049

lrs[co]
srg 29/09/2016

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