

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM:

THE HON 'BLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition No.33023 of 2016

D.Gulanthaisamy

... Petitioner

Versus

1. The District Collector, District Collector Office,  
Theeran Chinnamalai Maligai,  
Erode District, Erode-11
  2. The Sub Collector cum Revenue Divisional Officer,  
Gopichettypalayam, Erode District, Erode
  3. The Thasildar, Thasildhar Office,  
Sathiyamangalam, Erode District
- .. Respondents

Prayer:- Petitions filed under Article 226 of the Constitution of India, seeking for the issuance of Writs of Mandamus, directing the 3<sup>rd</sup> respondent to take action regarding revocation of the order pertaining to cancellation of patta in respect of the petitioner son land in the light of the direction issued by the 2<sup>nd</sup> respondent's communications, dated 03-03-2016 and 12-04-2016 within a time frame fixed by this Court.

For Petitioner : Mr. R.Thirumoorthy

For Respondents : Mr. A.N.Thambidurai, Spl.G.P.,

ORDER

Heard Mr.R.Thirumoorthy, learned counsel for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a direction to direct the third respondent to take action regarding revocation of the order pertaining to cancellation of patta in respect of the land of the petitioner's son, in the light of the direction issued by the second respondent's communications, dated 03-03-2016 and 12-04-2016 within a time frame to be fixed by this Court.

3. It is seen that pursuant to the representation given by the petitioner to the second respondent, the second respondent, vide memo in O.Mu.No.2479/2016-A3, dated 12.04.2013, has called for the report from the third respondent, after conducting an inspection of the property. This report presumably is for the purpose of deciding the petitioner's appeal given to the second respondent.

4. It is needless to state that the third respondent cannot pass any orders and it is the second respondent, who has to pass orders on the petitioner's representation. Accordingly, there will be a direction to the third respondent to submit the report, as called for by the second respondent, within a period of six weeks from the date of receipt of a copy of this order, after conducting inspection of the property-in-question and on receipt of the report, the second respondent shall consider the petitioner's claim on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner and pass appropriate orders within a period of six weeks, thereafter.

5. With the above directions, this writ petition is disposed of. No costs.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

srk

To

1. The District Collector, District Collector Office,  
Theeran Chinnamalai Maligai,  
Erode District, Erode-11
2. The Sub Collector cum Revenue Divisional Officer,  
Gopichettypalayam, Erode District, Erode
3. The Thasildar, Thasildhar Office,  
Sathiyamangalam, Erode District

1 cc to M/s.R.Thirumoorthy, Advocate, sr.53441  
1 cc to Government Pleader, sr.54243

W.P.No.33023 of 2016

nr co

kra 05.10.2016