



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Petition (MD) No.20935 of 2016

Dharani Sugars and Chemicals Limited,
Rep. By its Authorised Signatory,
B.Naagarajan

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tenkasi, Tirunelveli District.

3.The Tahsildar,
Taluk Office, Sivagiri.

4.The Subramania Nadar Vadivu Ammal,
Educational Trust,
Thirumalapuram,
Sivagiri Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to dispose the petitioner's representation, dated 09.03.2015.

For Petitioner : Mr.K.K.Ramakrishnan

For RR 1 to 3 : Mr.J.Gunaseelan Muthiah
Government Advocate

ORDER

The present Writ Petition is filed for a direction to the second respondent to dispose of the petitioner's representation, dated 09.03.2015.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The contention of the petitioner is that the petitioner's



company is a registered company under the Companies Act, 1956, and is the absolute owner of a land situated at Thirumalapuram Village, Sivagiri Taluk, Tirunelveli District. The complaint made out by the petitioner is that patta stood in the name of the petitioner was cancelled without conducting any enquiry and without giving any notice to the petitioner and they had no knowledge about the enquiry conducted by the third respondent for cancellation of patta stood in the name of the petitioner.

3.The learned counsel appearing for the petitioner contended that the action of the third respondent in cancelling the patta, without conducting enquiry, is in violation of principles of Patta Pass-book Act, 1983 and is liable to be scrapped. In order to set aside the order of cancellation of patta issued by the third respondent, the petitioner preferred an appeal before the second respondent, which is pending for passing final orders. The learned counsel for the petitioner further contended that an enquiry was conducted and enquiry report is also available with the second respondent and the petitioner submitted their documents before the enquiry officer and even after conducting enquiry, no final order has been passed by the second respondent.

4.The learned Government Advocate appearing for the respondents 1 to 3 has no objection to consider the appeal and pass final orders in the matter.

5.Considering the facts and circumstances of the case, this Court is inclined to direct the second respondent to consider the appeal, dated 09.03.2015 submitted by the petitioner, on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

ps

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

<https://hcservice.hcservices.in/>
2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Tenkasi, Tirunelveli District.



3.The Tahsildar,
Taluk Office, Sivagiri.

+1cc to Mr.K.K.Ramakrishnan, Advocate Sr.No. 64870

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+1cc to Spl.Government Pleader Sr.No.64773

JAM/09.11.16/GSV-PM/SAR 3 /3p-6c

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