

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.22876 of 2017

M.Khalikhus Iaman

... Petitioner

vs.

1.The Revenue Divisional Officer,
Office of the Revenue Division,
Perambalur District.

2.Khadhar Hussain Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing the first respondent to cancel the patta in S.No.159/9 to an extent of 0.94 cents in V.Kalathur Village, Veppanthattai Taluk, Perambalur District, in the name of the 2nd respondent herein and retain the patta in the name of the petitioner.

For Petitioner : Mr.R.Gokula Krishnan

For Respondents: Mr.E.Balamurugan
Addl.Government Pleader for R1

O R D E R

By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above Writ Petition, to issue a writ of mandamus, directing the first respondent to cancel the patta in respect of S.No.159/9, measuring an extent of 0.94 cents in V.Kalathur Village, Veppanthattai Taluk, Perambalur District, in the name of the 2nd respondent herein and retain the patta in the name of the petitioner.

3. The learned counsel for the petitioner submitted that as against the order passed by the Tahsildar granting patta in favour of the second respondent, the petitioner has given a representation dated 19.07.2017 to the first respondent to cancel the patta. However, the first respondent has not passed any order so far.

4. Mr.E.Bala Murugan, learned Additional Government Pleader taking notice for the first respondent, submitted that

the first respondent may be directed to consider the representation of the petitioner, dated 19.07.2017, as an appeal under Section 12 of the Patta Pass Book Act, and dispose of the same in accordance with law, after giving notice to the second respondent.

5. In view of the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the first respondent to consider the petitioner's representation, dated 19.07.2016, as an appeal under Section 12 of the Patta Pass Book Act and pass orders in accordance with law, after giving notice to the second respondent, within a period of eight weeks from the date of receipt of a copy of this order.

6. With this observation, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

svki

To

The Revenue Divisional Officer,
Office of the Revenue Division,
Perambalur District.

+1cc to Mr.R.Gokula Krishnan, Advocate, S.R.No.61522
+1cc to the Government Pleader, S.R.No.62091

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VGI (CO)
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