

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.23643 of 2017

Manoharan

[Petitioner]

Vs

- 1 The District Collector
Vellore Vellore District
- 2 The District Revenue Officer
Vellore Vellore District
- 3 The Sub Collector and
Revenue Divisional Officer
Sub Collector Office Thirupathur Vellore District
- 4 The Thasildar
Taluk Office Vaniyambadi Taluk
Vellore District
- 5 Jayaraman [Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents 1 to 4 to consider petitioner representations dated 20.8.2017 to cancel the patta granted to 5th respondent for house and land to an extent of 230 Sq.m comprised in Old S.No.517/3 New Sub Division S.No.598/9 of Udhayendhram Mettupalayam Grama Natham land east west 55 ft and south north 25 ft and a 5 Anganam tiles house situated at Mariamman Kovil Street Jaffarbad Post Vaniyambadi Taluk Vellore District and issue joint patta in favour of petitioner petitioners mother Kamatchi Ammal brothers Kumaresan Late Kanagaraj Rajendhran and sister Girija.

For Petitioner : Mr.R.Thiruvengadam

For Respondents : Mr.S.N.Parthasarathi, GA (R1-4)

ORDER

Mr.S.N.Parthasarathi, learned Government Advocate takes notice for the respondents 1 to 4. By consent, the main writ petition 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 respondents 1 to 4 to consider his representation dated 20.8.2017 to cancel the patta granted to the 5th respondent for the house and land measuring an extent of 230 Sq.mts. comprised in Old S.No.517/3, New Sub Division S.No.598/9 of Udhayendhram, Mettupalayam Grama Natham land situated at Mariamman Kovil Street, Jaffarbad Post, Vaniyambadi Taluk, Vellore District and issue joint patta in his favour and his family members.

3. It is the case of the petitioner that challenging the issuance of patta by the 4th respondent in favour of the 5th respondent, the petitioner has given a representation to the 3rd respondent to cancel the patta, however, the 3rd respondent has not passed any order so far.

4. Mr.S.N.Parthasarathi, learned Government Advocate appearing for the respondents 1 to 4 submitted that the 3rd respondent may be directed to treat the petitioner's representation dated 20.08.2017, as an appeal and dispose of the same in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side, I direct the 3rd respondent to consider the petitioner's representation dated 20.08.2017 as an appeal filed under Section 12 of the Patta Passbook Act and after giving notice to all the interested parties, dispose of the same in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

1 The District Collector
Vellore Vellore District

2 The District Revenue Officer
Vellore Vellore District

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3 The Sub Collector and
Revenue Divisional Officer
Sub Collector Office Thirupathur Vellore District

4 The Thasildar
Taluk Office Vaniyambadi Taluk
Vellore District

+ 1 cc to Mr.R.Thiruvengadam, Advocate, SR.63161
+ 1 cc to The Govt.Pleader, SR.63660

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