

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.24004 of 2017

K.Sekar

... Petitioner

vs.

1. The District Collector
Tiruvannamalai District
Tiruvannamalai
2. The District Revenue Officer
Tiruvannamalai District
Tiruvannamalai- 606 601
3. The Revenue Divisional Officer
Tiruvannamalai- 606 601
Tiruvannamalai District
4. The Thasildar
Chengam Taluk
Chengam
Tiruvannamalai District
5. Chinni Naicker

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 12.04.2017 and pass necessary orders with respect to cancellation of patta issued to the 5th respondent and issue of patta to the petitioner with respect to the lands in Old S.No.62/2, Boyampalli Thanda, Arattavadi, Chenam Taluk, Tiruvannamalai District after conducting enquiry and hearing the petitioner and the 5th respondent within the time that may be fixed by this Court.

For Petitioner : Mr.P.Mani

For Respondents : Mr.S.N.Parthasarathy
Government Advocate

O R D E R

Mr.S.N.Parthasarathy, learned Government Advocate, takes notice for the respondents. 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 respondents to consider his representation dated 12.04.2017 and pass orders, with respect to cancellation of patta issued to the 5th respondent and issue patta to the petitioner with respect to the lands in Old S.No.62/2, Boyampalli Thanda, Arattavadi, Chenam Taluk, Tiruvannamalai District after conducting enquiry.

3. The learned counsel appearing for the petitioner submitted that the petitioner has given a representation to the 3rd respondent, viz, The Revenue Divisional Officer Tiruvannamalai, to cancel the patta issued in favour of the 5th respondent. However, the 3rd respondent has not passed any order so far.

4. Mr. S.N. Parthasarathy learned Government Advocate, appearing for the respondents submitted that the 3rd respondent may be directed to treat the representation given by the petitioner dated 12.04.2017 as an Appeal filed under section 12 of the Tamil Nadu Patta Pass Book Act and to dispose of the same, in accordance with law, after giving notice to all the interested parties.

5. In view of the submissions made by the learned counsel on either side, I direct the 3rd respondent to consider the representation given by the petitioner on 12.04.2017 as an appeal and further direct the 3rd respondent to dispose of the same in accordance with law, after giving notice to all the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Rj

To

1. The District Collector
Tiruvannamalai District
Tiruvannamalai

2. The District Revenue Officer
Tiruvannamalai District
Tiruvannamalai- 606 601

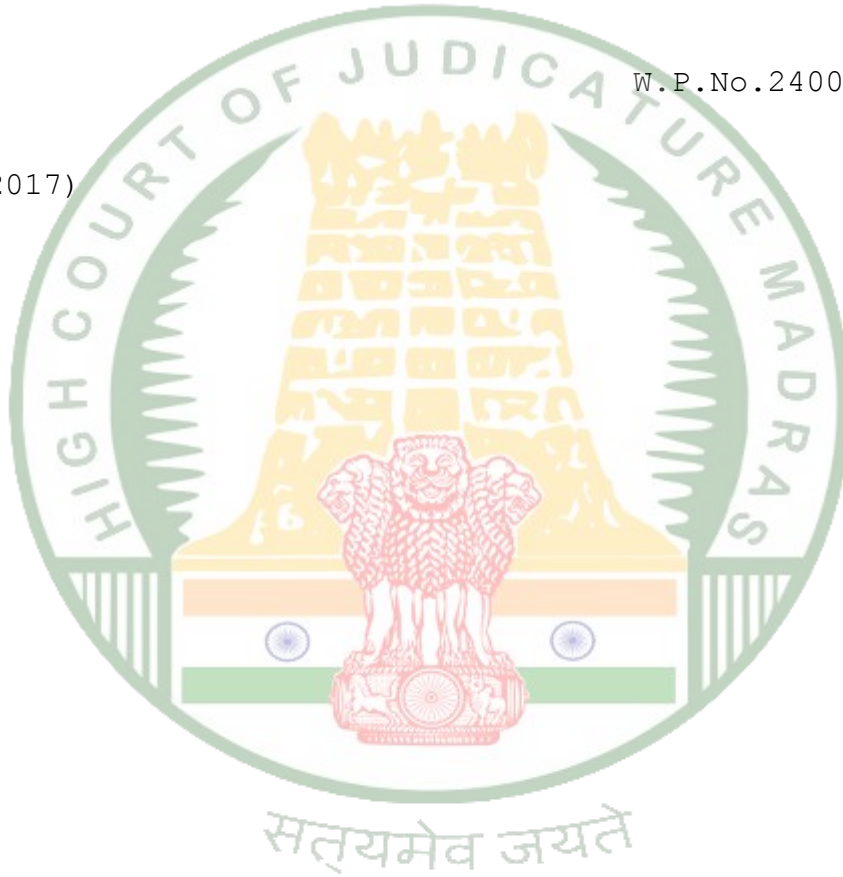
3. The Revenue Divisional Officer
Tiruvannamalai- 606 601
Tiruvannamalai District

4. The Thasildar
Chengam Taluk
Chengam
Tiruvannamalai District

+lcc to Mr.P.Mani, Advocate, S.R.No.65055
+lcc to the Government Pleader, S.R.No.65436

W.P.No.24004 of 2017

SSI (CO)
GN (25/09/2017)



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