

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.26691 of 2018

N.P.Krishnan

.. Petitioner

Vs

1.The District Collector,  
Salem Collectorate,  
Salem District.

2.The District Revenue Officer,  
Salem District, Salem.

3.The Tahsildar,  
Salem District, Salem.

4.Sola Vellar Samugam Trust,  
Kitchipalayam,  
Salem-15.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the third respondent to conduct the enquiry in respect of cancelling patta dated 31.07.2017 issued in favour of the fourth respondent herein in respect of property Door No.313 to 339, Tirchy Main Road, Gugai, Ward - AE, Salem, Salem District after giving necessary opportunity to the parties.

For Petitioner : Mr.D.Gopinathan

For Respondents : Mr.V.Shanmuga Sundar,  
Special Government Pleader  
for R1 to R3

Mr.M.R.Kuyilan for R4

ORDER

The petitioner has come up with this writ petition seeking a direction to the third respondent to conduct the enquiry in

respect of cancellation of patta dated 31.07.2017 issued in favour of the fourth respondent herein in respect of the property situated at Door No.313 to 339, Tirchy Main Road, Gugai, Ward - AE, Salem, Salem District after giving necessary opportunity to the parties.

2. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 07.06.2018 claiming the relief as prayed in this writ petition, but, the same is yet to be disposed of by the third respondent. However, the learned counsel submitted that it would suffice, if the said representation made by the petitioner is directed to be considered by the third respondent, on merits.

3. Learned counsel for the fourth respondent would submit that a suit filed by the petitioner for declaration of title came to be dismissed by the Civil Court.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the third respondent to consider the petitioner's representation dated 07.06.2018 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, the fourth respondent as well as any of the interested parties, within a period of eight weeks from the date of receipt of a copy of this order. However, the respective parties can agitate their grievances before the third respondent while considering such representation filed by the petitioner.

5. Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

vga

To

1. The District Collector,  
Salem Collectorate,  
Salem District.

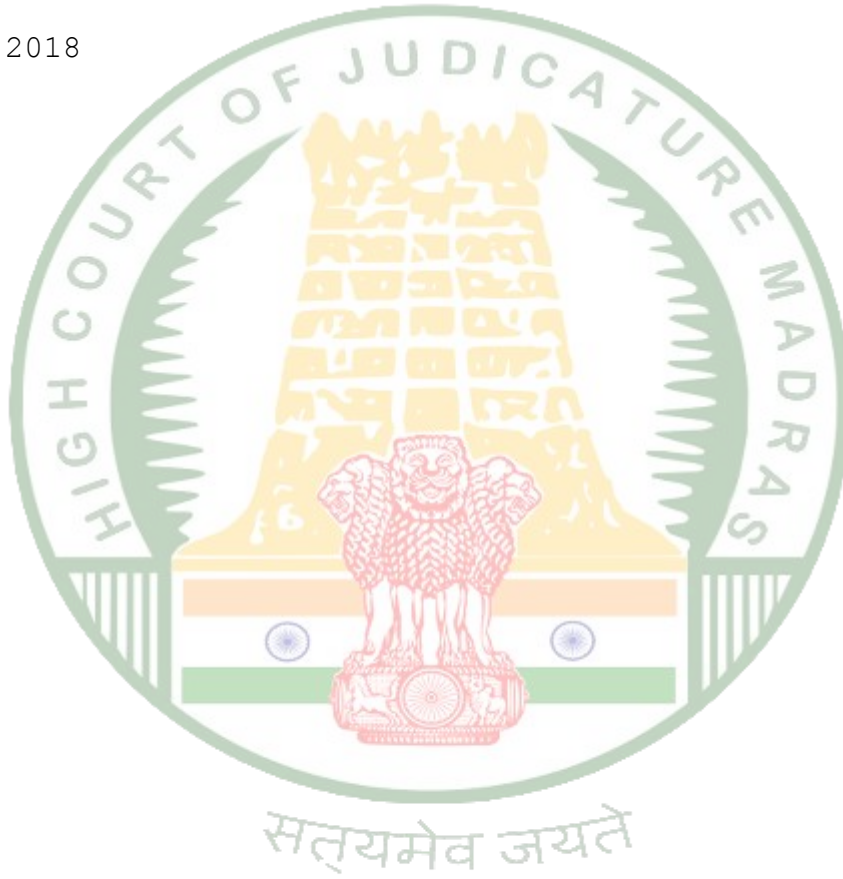
2.The District Revenue Officer,  
Salem District, Salem.

3.The Tahsildar,  
Salem District, Salem.

+1 cc to Mr.D.Gopinathan, Advocate Sr.No.75358  
+1 cc to Mr.M.R.Kuyilan, Advocate Sr.No.75359

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RV(CO)  
CSL/27.11.2018



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