

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.24068 of 2010

And

M.P.No.1 of 2010

K.Paneerselvam

... Petitioner

Vs

1.The Thasildar,
Tirutani Taluk,
Tiruvallur District.

2.N.Kamalammal
3.N.Nainiyappan
4.N.Hari Krishnan
5.N.Rajendran
6.N.Jayabalan
7.N.Arumugam
8.N.Elumalai

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the objection of the petitioner dated 19.10.2010.

For Petitioner :Mr.M.Raja Sekhar

For Respondents :Ms.K.Bhuvaneswari (for R1)
Additional Government Pleader

:Ms.P.A.Chitramani (for RR2 to 8)

ORDER

The prayer made in this writ petition is to direct the first respondent to consider the objection, dated 19.10.2010 filed by the petitioner.

2. According to the petitioner, on the basis of the decree obtained in O.S. No.177 of 2009, patta issued in respect of the properties in Survey Nos.273/15 and 273/16 in Athipattu village in favour of the respondents 2 to 8 was cancelled and it was granted in the name of his father. Challenging the same, the

respondents 2 to 8 filed a suit in O.S. No.106 of 2010 for declaration and also filed a petition before the 1st respondent to cancel the patta, to which, the petitioner filed a detailed objection dated 19.10.2010 to the 1st respondent. However, the said objection was not considered by the 1st respondent till date. Hence, this writ petition.

3. Heard the learned counsel for the petitioner, the learned Additional Government Pleader appearing for the 1st respondent and the learned counsel for the contesting respondents 2 to 8.

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 1st respondent to consider the objections submitted by the petitioner on 19.10.2010, if not considered earlier and pass appropriate orders on merits and in accordance with law, that too, after conducting due enquiry and affording an opportunity of personal hearing to the petitioner as well as the respondents 2 to 8, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsi2/mtl

To

The Thasildar,
Tirutani Taluk,
Tiruvallur District.

+1cc to Mr.M.Raja Sekhar, Advocate, S.R.No.175
+1cc to the Government Pleader, S.R.No.502

W.P.No.24068 of 2010
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VD(CO)
NR/28/03/2019