

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU
W.P.No.11080 of 2019

V.Ganesh

...Petitioner

Vs.

1.The Principal Secretary
Commissioner of Land Reforms
Revenue Department
Ezhilagam, Chepauk - 600 005.

2.The Revenue Divisional Officer
Thiruvallur District
Thiruvallur.

3.The Tahsildar
Avadi Taluk, Avadi,
Chennai.

4.Pujai Sri Jaimal Jain G.Champalal
Patheraj Ranka Trust
Represented by its Founder Trustee
Mr.Nemichand
S/o.Potharaj
No.2, Raju Mudali Street
Veeraraghavapuram
Ambattur, Chennai-600 053.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to consider his representations dated 13.11.2018 and 14.12.2018 and to cancel the Patta bearing No.2808 dated 15.10.2009 issued by the Tahsildar, Ambattur in the name of the 4th respondent Trust herein, in respect of the property situated at Ayappakkam Village, previously Ambattur Taluk, now Avadi Taluk, comprised in Survey No.13/1A.

For Petitioner : Mr.S.V.S.Ilamvazhuthi
For Respondents: Mr.S.N.Parthasarathy
Government Advocate
for R1 to R3

O R D E R

Mr.S.N.Parthasarathy, learned Government Advocate takes notice for the respondents 1 to 3. Since this writ petition is being disposed of, without affecting the interest of the fourth respondent, notice to the said respondent is dispensed with.

2. The petitioner seeks for a mandamus directing the second respondent to consider his representations dated 13.11.2018 and 14.12.2018, wherein and whereby, he sought to cancel the Patta bearing No.2808 dated 15.10.2009 issued by the Tahsildar, Ambattur in the name of the 4th respondent Trust herein, in respect of the property situated at Ayappakkam Village, previously Ambattur Taluk, now Avadi Taluk, comprised in Survey No.13/1A.

3. Heard both sides.

4. The grievance of the petitioner before this Court is that even though he made the representations on 13.11.2018 and 14.12.2018, the second respondent has not considered the same so far.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the second respondent to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the second respondent to consider the representations dated 13.11.2018 & 14.12.2018 and pass orders on the same on merits and in accordance with law, after hearing the petitioner, the fourth respondent and other interested parties, if any. Such exercise shall be done by the second respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Secretary
Commissioner of Land Reforms
Revenue Department

<https://hcservices.ecourts.gov.in/hcservices/>, Chepauk - 600 005.

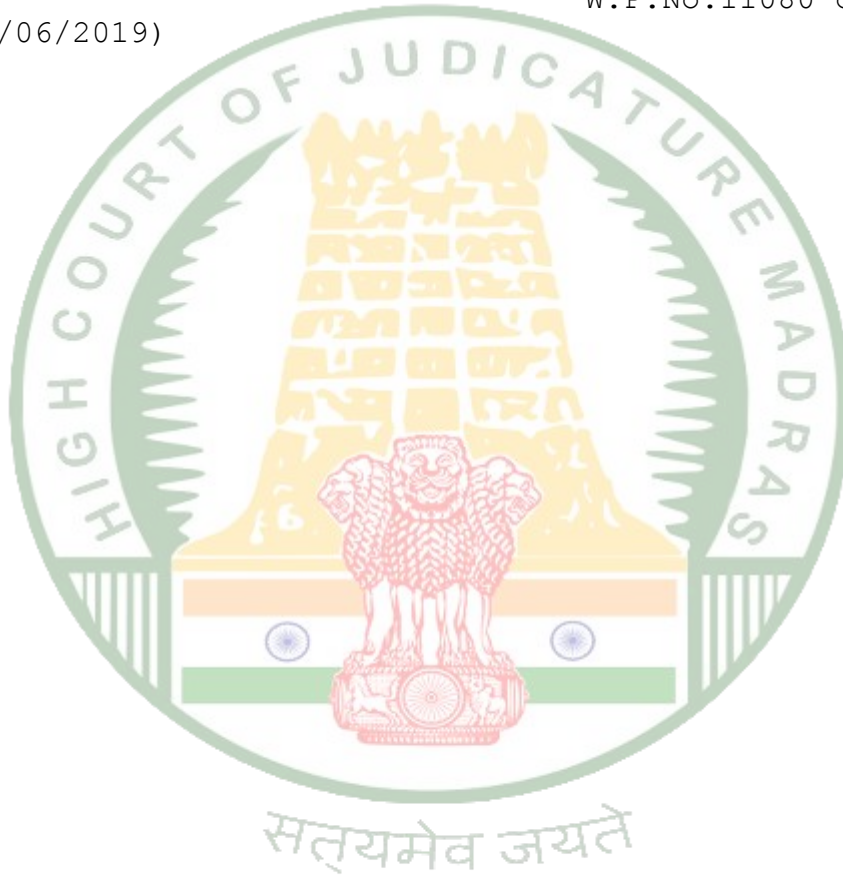
2.The Revenue Divisional Officer
Thiruvallur District
Thiruvallur.

3.The Tahsildar
Avadi Taluk, Avadi,
Chennai.

+1cc to Mr.S.V.S.Ilamvazhuthi , Advocate SR.No. 36212
+1 cc to Government Pleader Sr.No. 37075

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A.SK(10/06/2019)



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