

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.26116 of 2015 and

M.PNo.1 of 2015

P. Pradeeban

... Petitioner

v.

1. The Collector of Villupuram,
Villupuram District.
2. The District Revenue Officer
Villupuram District.
3. The Tahsildar,
Vanur Talk, Villupuram District.
4. The Revenue Divisional Officer,
Villupuram District.
(R4 Suo moto Impleaded as per order
dated 02.09.2020 in W.P.No.26116/2015)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus forbearing the respondents from cancelling the Patta without issuing notice for enquiry to the petitioner as per his representation dated 25.07.2015 to the respondents.

For Petitioner : Mr. R.Karunakaran

For Respondents: Ms. A. Madhumathi,

Special Government Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus forbearing the respondents from cancelling the Patta without issuing notice for enquiry to the petitioner as per his representation dated 25.07.2015 to the respondents.

2. The apprehension of the petitioner is that one Ramalingam and Subramaniam may challenge the issuance of patta by way of appeal, which was issued in his favour, therefore, the Revenue Divisional Officer, Villupuram District, should be

directed to issue notice to the petitioner prior to deciding the appeal.

3. Though the appeal is maintainable before the Revenue Divisional Officer, the petitioner has not made him as respondent. In such view of the matter, the Revenue Divisional Officer, Villupuram District is suo moto impleaded as 4th respondent in the Writ Petition.

4. Ms. A. Madhumathi, learned Special Government Pleader, takes notice for the respondents including the Revenue Divisional Officer, Villupuram District and submitted that the Revenue Divisional Officer may be directed to dispose of the appeal if any filed by Ramalingam and Subramaniam, challenging the issuance of patta in favour of the petitioner, in respect of his Survey No.416/9B measuring an extent of 1.40 acres out of 3.30 acres and in Re-survey No.240/10C, measuring an extent of 0.57.0 ares , after giving notice to the petitioner.

5. Recording the submissions made by the learned Special Government Pleader appearing for the respondents, the 4th respondent is directed to pass orders on the appeal if any filed by the Ramalingam and Subramaniam, challenging the patta issued in favour of the petitioner, only after issuing notice to the petitioner.

With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Rj
To

1. The Collector of Villupuram,
Villupuram District.
2. The District Revenue Officer
Villupuram District.
3. The Tahsildar,
Vanur Talk, Villupuram District.
4. The Revenue Divisional Officer,
Villupuram District.

+lcc to Mr.R.Karunagaran, Advocate, sr no.28628

W.P.No.26116 of 2015

VGII(CO)
RMP(08/10/2020)