

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.6349 of 2020

1.Amarani
2.H. Gopal @ Prabakaran
3.H. Sasi @ Sasikumar
4.H. Ramu ... Petitioners

Vs.

1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2.The Revenue Divisional Officer,
Arni, Arni Taluk,
Thiruvannamalai District.

3.The Tahsildar,
Jamunamarathur Taluk,
Thiruvannamalai District.

4.The Revenue Inspector,
Puliyur Firkha,
Jamunamarathur Taluk,
Thiruvannamalai District.

5.The Village Administrative Officer,
Kovilur Village,
Puliyur Firkha,
Jamunamarathur Taluk,
Thiruvannamalai District.

6.Sathiya ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, directing the second respondent herein to consider the representation of the petitioners dated 08.01.2020 and 04.02.2020 and consequently to cancel the patta vide bearing

No.2049, situated in survey Nos.158/4A1,76/6,161A/3 of Kovilur Village issued by the third respondent in favour of the sixth respondent.

For Petitioners : Mr. N.Elumalai

For Respondents : Mr. K.Parameswaran,
Government Advocate

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the second respondent to consider the representations made by the petitioners on 08.01.2020 and 04.02.2020 and to cancel the patta that was issued by the third respondent in favour of the sixth respondent.

2. The case of the petitioners is that based on ex-parte decree obtained by the sixth respondent, he applied for patta and the patta was granted in his favour. The further case of the petitioners is that the petitioners have filed a petition to set aside ex-parte decree and the same is pending. That apart, there is yet another suit that has been filed by one Ranganathan to declare the judgment and decree obtained by the sixth respondent in O.S.No.469/2010 as null and void.

3. The petitioners made a representations to the second respondent seeking to cancel patta issued in favour of the sixth respondent. Since the same was not considered, the present writ petition has been filed seeking for appropriate direction.

4. Heard the learned counsel for the petitioners and the learned counsel for the respondents.

5. Taking into consideration of the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the second respondent to consider the representations made by the petitioners on 08.01.2020 and 04.02.2020 and pass appropriate orders strictly in accordance with law, after offering an opportunity to the sixth respondent, within a period of eight weeks from the date of receipt of copy of this order. The petitioners shall make a fresh representation along with a copy of the representations dated 08.01.2020 and 04.02.2020 and a copy of this order.

6. This writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AT

To

- 1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
- 2.The Revenue Divisional Officer,
Arni, Arni Taluk,
Thiruvannamalai District.
- 3.The Tahsildar,
Jamunamarathur Taluk,
Thiruvannamalai District.
- 4.The Revenue Inspector,
Puliyur Firkha, Jamunamarathur Taluk,
Thiruvannamalai District.
- 5.The Village Administrative Officer,
Kovilur Village, Puliyur Firkha,
Jamunamarathur Taluk,
Thiruvannamalai District.

+1cc to Mr.N.Elumalai, Advocate, S.R.No.22423

+1cc to the Government Pleader, High Court, Madras S.R.No.23231

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MR (CO)
VSI2(26.05.2020)