

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.No.4397 of 2015

Narayanan

... Petitioner

Vs.

1. The District Collector,
District Collectorate Office,
Salem District.
2. The Revenue Divisional Officer,
Mettur Dam - 636 401,
Salem District.
3. The Tahsildar,
Mettur Dam,
Salem District.
4. R.Ranganathan
5. R.Rajakumari
6. T.Mythili
7. R.Thangamani
8. P.Raja
9. Emerald Venkatachalam
- 10.Daicy Rani
- 11.T.Sampath

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the 2nd respondent to consider the petitioner's representation dated 21.07.2014 and to cancel the patta in favour of the respondents 4 to 6 within a time frame.

For Petitioner : Mrs.Hema Sampath, Senior Counsel
for Mr.S.Gunalan

For Respondents: Ms.A.Madhumathi,
Special Government Pleader (R1 to R3)

Ms.Prema Kumari,
for M/s.Karan and Uday (R4 to R7)

Mr.A.Sriram
for Mr.R.N.Amarnath (R8 to R11)

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the 2nd respondent to consider the petitioner's representation dated 21.07.2014 and to cancel the patta issued in favour of the respondents 4 to 6 within a time frame.

2.Mrs.Hema Sampath, learned senior counsel appearing for the petitioner submitted that the 4th respondent had died during the pendency of the Writ Petition, leaving behind the respondents 5 to 7 as his surviving legal representatives.

3.The submission made by the learned senior counsel is recorded.

4.The learned senior counsel for the petitioner submitted that though the petitioner had preferred the representation challenging the issuance of the patta by the Tahsildar in favour of the respondents 4 to 6 as early as on 21.07.2014, the 2nd respondent has not disposed of the same yet.

5.Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the 2nd respondent may be directed to dispose of the representation dated 21.07.2014, on merits and in accordance with law, after giving notice to all the interested parties, within a period of eight weeks.

6.The learned counsel for the respondents 4 to 7 as well as respondents 8 to 11 also re-iterated the submission made by the learned Special Government Pleader appearing for the respondents 1 to 3.

7.Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to consider the petitioner's representation dated 21.07.2014 and dispose of the same, on merits and in accordance with law, after giving notice to all the interested parties and also giving an opportunity of personal hearing to them, within a

period of eight weeks from the date of receipt of a copy of this order.

8. With these observations, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

va
To

1. The District Collector,
District Collectorate Office,
Salem District.
2. The Revenue Divisional Officer,
Mettur Dam - 636 401,
Salem District.
3. The Tahsildar,
Mettur Dam,
Salem District.

+1 cc to M/s.s.Gurunalan, Advocate Sr.No. 29391
+1 cc to The Government Pleader, Sr.No. 29634

MG(CO)
RMP (29/10/2020)

W.P.No.4397 of 2015

सत्यमेव जयते

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