

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.10386 of 2020 and
W.M.P.Nos.12635 & 12636 of 2020

1.Pichai

2.S.Bernadshaw

... Petitioners

Vs.

1. The District Collector,
Villupuram District.

2. The District Revenue Officer,
Villupuram,
Villupuram District.

3. The Sub Collector,
Kallakurichi Town & Taluk.

4. The Tahsildar,
Sankarapuram Town and Taluk.

5. The Village Administrative Officer,
Pazhayasiruvangur,
Sankarapuram Taluk.

6.Augustin

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the respondents 1 to 5 to delete the Patta No.3745/2010 and to restore the old Patta No.402 in respect of Survey No.341/3 measuring an extent of 0.40 acres, Pazhayasiruvangur, Sankarapuram Taluk, Villupuram District, by considering the petitioners' appeal dated 23.12.2019 and pass orders.

For Petitioners : Mr.P.Valliappan

For Respondents : Mr.E.Balamurugan,
Government Advocate

O R D E R

This writ petition has been filed for a direction to the third respondent to deal with the appeal filed by the petitioners on 23.12.2019 and to pass orders within the time stipulated by this Court.

2.The case of the petitioners is that the sixth respondent managed to get a joint patta in the subject property along with the first petitioner. According to the petitioners, the sixth respondent has no right over the property. The further case of the petitioners is that the petitioners were not even put on notice, before the Revenue Records were mutated. The petitioners made a representation to restore the patta to the original name and to remove the name of the sixth respondent. The fourth respondent rejected the claim made by the petitioners. Aggrieved by the same, the petitioners have filed an appeal on 23.12.2019 before the third respondent. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate direction.

3.Heard Mr.P.Valliappan, learned counsel appearing on behalf of the petitioners and Mr.E.Balamurugan, learned Government Advocate appearing on behalf of the respondents 1 to 5.

4.Taking into consideration 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 third respondent to consider the appeal filed by the petitioners on 23.12.2019 strictly in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. The third respondent shall issue notice to the sixth respondent and afford him an opportunity before passing pass orders in the appeal. The petitioners are directed to make a fresh representation along with a copy of the appeal filed by the petitioners on 23.12.2019 and also a copy of this order.

5.This writ petition is disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petitions are also closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

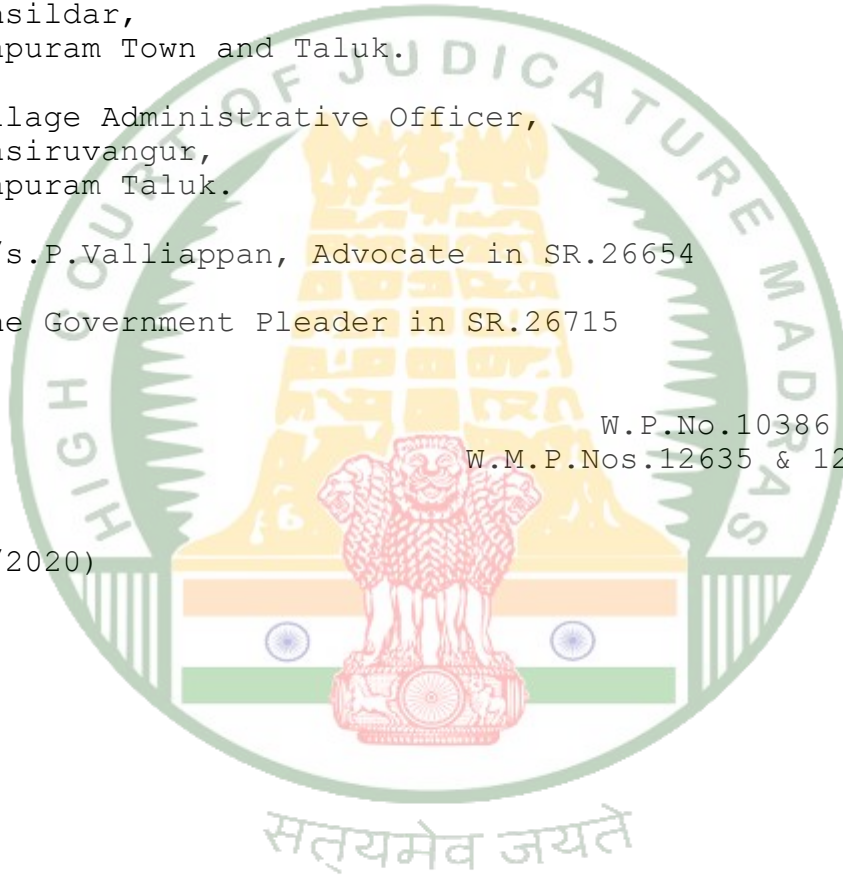
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5. The Village Administrative Officer,
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Sankarapuram Taluk.

+1cc to M/s.P.Valliappan, Advocate in SR.26654

+1cc to The Government Pleader in SR.26715

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NAS (CO)
RV (14/09/2020)



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