

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.10097 of 2020

N.Pavayi

...Petitioner

Vs.

- 1 The District collector
Collectorate
Tiruchengode Road
Namakkal District.
- 2 The District Revenue Officer
Namakkal, Namakkal District.
- 3 The Revenue Divisional Officer
Namakkal, Namakkal District .
- 4 The Block Development Officer
Puduchatram,
Namkkal, Namakkal District.
- 5 The Tahsildar
Namakkal, Namakkal District.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the 5th Respondent herein from cancelling the patta and consequently directing the 5th Respondent herein to dispose of the petitioner's representation dated 14.07.2020.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Mr.E.Balamurugan
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus forbearing the 5th Respondent from cancelling the patta issued in favour of the petitioner.

2. The petitioner had been granted Natham Nila Vari Patta. According to the petitioner, she is in possession and enjoyment of the property. The grievance of the petitioner is that the fifth respondent is taking steps to cancel the patta, even without issuing notice to the petitioner. The petitioner, therefore, made a representation to the fifth respondent on 14.07.2020. Since the same was not considered, the present Writ Petition has been filed before this Court.

3. Mr.E.Balamurugan, learned Special Government Pleader appearing on behalf of the respondents submitted that the Block Development Officer, Puduchatram Division had already directed the fifth respondent to conduct a Survey and to submit a report to the third respondent, namely, Revenue Divisional Officer, Namakkal District. The Revenue Divisional Officer will, thereafter, conduct an enquiry and take an appropriate decision. The written instructions received by the Special Government Pleader was also brought to the notice of this Court by sending it through E-mail.

4. Taking into consideration the facts and circumstances of the case and also the fact that an enquiry is going to be conducted before any decision is taken, there shall be a direction to the third respondent to put the petitioner on notice if in case any proceedings are initiated for cancellation of patta and any decision shall be taken only after affording an opportunity to the petitioner.

5. With this, this Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1 The District collector
Collectorate
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Namakkal District.
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- 3 The Revenue Divisional Officer
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4 The Block Development Officer
Puduchatram,
Namkkal, Namakkal District.

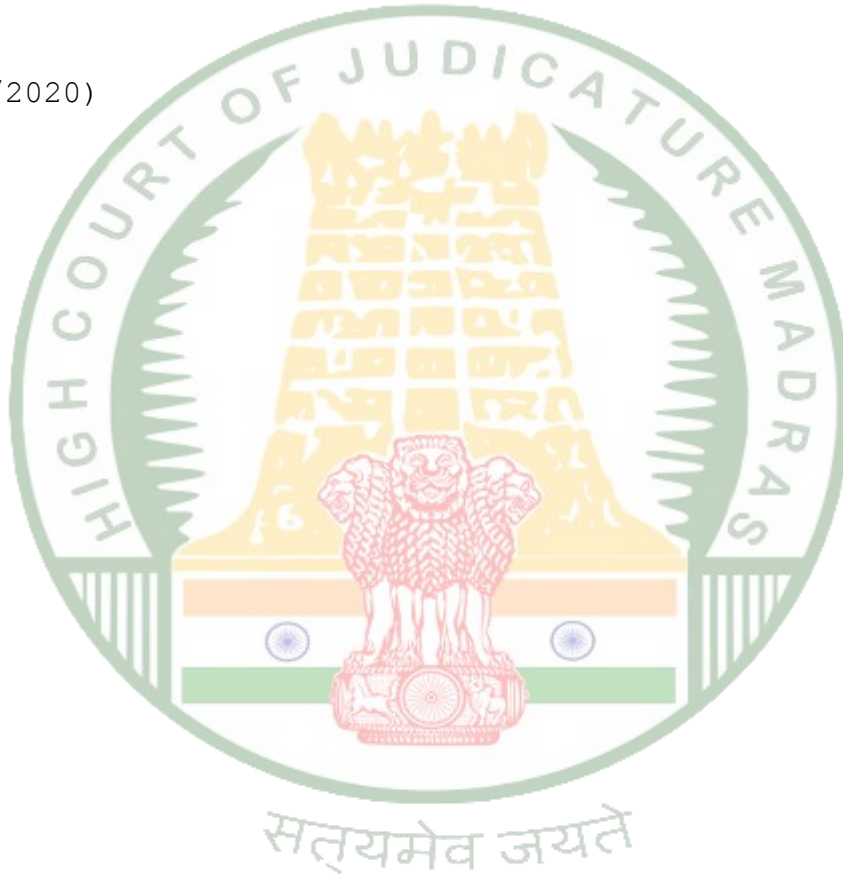
5 The Tahsildar
Namakkal, Namakkal District.

+1cc to Mr.W.Camyles Gandhi, Advocate in Sr.27642

+1cc to Government Pleader in Sr.28048

W.P.No.10097 of 2020

GJ (CO)
RV (11/09/2020)



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