

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.12059/2020

R. Thaiyalnayagi

..Petitioner

Versus

1. The Revenue Divisional Officer
O/O.The Revenue Divisional Office,
Kallakurichi, Kallakurichi District.

2. The Tahsildar
Sankarapuram Taluk
Sankarapuram,
Kallakurichi District.

3. Amir Sayabu
4. Kasim Sayabu
5. Pavadai
6. Selvakumar
7. Chinnadurai
8. Samynathan
9. Velu
10.Munian
11.Velu

..Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to cancel the patta in the name of the respondents 3 to 11 in respect of the properties in survey Nos.238/2, 48/4, 48/1A1A, 48/1B1, 48/3C1, 48/3C3, 52/4, 45/5, 45/7B1A, 45/7B1B, 48/1A3A, 61/4B, 45/8A2, 61/3A1, 50/9, 61/2, 62/2, 61/1, 50/6A and 50/5 which are situated at Paramanantham Village, Sankarapuram Taluk, Kallakurichi District and transfer the same in the name of the petitioner within a stipulated period fixed by this Court.

For Petitioner : Mr.C.Samivel

For R1 & R2 : Mr.K.Parameshwaran, GA

ORDER

(1)This writ petition has been filed for the issue of a writ of mandamus, directing the 1st respondent to consider the

representation made by the petitioner wherein the petitioner has sought for cancellation of the patta with respect to the subject property which has been issued in favour of respondents 3 to 11.

- (2) Mr. K. Parameshwaran, learned Government Advocate accepting notice on behalf of respondents 1 and 2 submitted that the 1st respondent has already taken the representation made by the petitioner on file and the enquiry has been fixed on 22.09.2020 at 3.00 p.m. The learned counsel submitted that the petitioner can be present for the enquiry with all necessary documents.
- (3) Taking into consideration the facts and circumstances of the case and also the fact that the 1st respondent has already taken steps to deal with the representation made by the petitioner, there shall be a direction to the 1st respondent to conduct the enquiry and pass final orders strictly in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The 1st respondent shall issue sufficient notice to respondents 3 to 11 and give them an opportunity before conducting enquiry and passing final orders.
- (4) This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Revenue Divisional Officer
O/O. The Revenue Divisional Office,
Kallakurichi, Kallakurichi District.

2. The Tahsildar
Sankarapuram Taluk
Sankarapuram,
Kallakurichi District.

+1 cc to Mr. C. Samivel, Advocate Sr. No. 29394

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pp (co)
rv (25/9/2020)