

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N.ANAND VENKATESH

W.P.No.13800 of 2020

R.M.Subramanian

...Petitioner

Vs.

1.Secretary to Government,  
Revenue Department,  
Fort St. George, Chennai - 9.

2.The District Collector,  
1<sup>st</sup> Floor, Collectorate,  
Sivagangai District - 630 302.

3.The Revenue Divisional Officer,  
Devakottai Taluk,  
Sivagangai District - 630 302.

4.The Tahsildar,  
Devakottai Taluk,  
Sivagangai District - 630 302.

5.Manoharan

6.The District Revenue Officer,  
Sivagangai District.

[6th respondent is suo motu impleaded  
vide order of this Court dated 06.10.2020]

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the fourth respondent to consider the petitioner representation dated 03.09.2020.

For Petitioner : Mrs.Thenmozhi Shivaperumal

For Respondents 1 to 4 : Mr.Parameswaran  
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a writ of mandamus directing the fourth respondent to consider the representation made by the petitioner on 03.09.2020 wherein the petitioner has sought for the cancellation of the patta issued in favour of the Trust and requested for the issuance of patta in his favour.

2.Mr.Parameswaran, learned Government Advocate appearing on behalf of respondents 1 to 4, based on the written instruction received by him, submitted that the patta with regard to the subject property has already been granted in favour of the Trust even before the UDR Scheme. The learned Government Advocate, therefore, submitted that the fourth respondent is not the competent authority to consider the representation made by the petitioner. If at all the petitioner is aggrieved, he should give a representation/appeal before the concerned District Revenue Officer, who is the competent authority to try and pass orders in cases of this nature.

3.The District Revenue Officer, Sivagangai District is suo motu added as the sixth respondent in this writ petition.

4.The learned counsel for the petitioner submitted that the petitioner will give a fresh representation to the District Revenue Officer, Sivagangai District and a direction can be given for the earlier disposal of the representation.

5.Taking into consideration, the facts and circumstances of the case, there shall be a direction to the petitioner to give a fresh representation to the sixth respondent viz., the District Revenue Officer, Sivagangai District and the sixth respondent, on receipt of the same, shall issue notice to the Trust, in whose name the patta is standing and conduct an enquiry and pass appropriate orders strictly in accordance with law, within a period of eight weeks from the date of receipt of the representation from the petitioner. The petitioner shall make a representation before the sixth respondent along with all the relevant documents and also a copy of this order.

This Writ Petition is disposed of with the above direction.  
No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Sgl

To

1. Secretary to Government,  
Revenue Department,  
Fort St. George, Chennai - 9.

2. The District Collector,  
1<sup>st</sup> Floor, Collectorate,  
Sivagangai District - 630 302.

3. The Revenue Divisional Officer,  
Devakottai Taluk,  
Sivagangai District - 630 302.

4. The Tahsildar,  
Devakottai Taluk,  
Sivagangai District - 630 302.

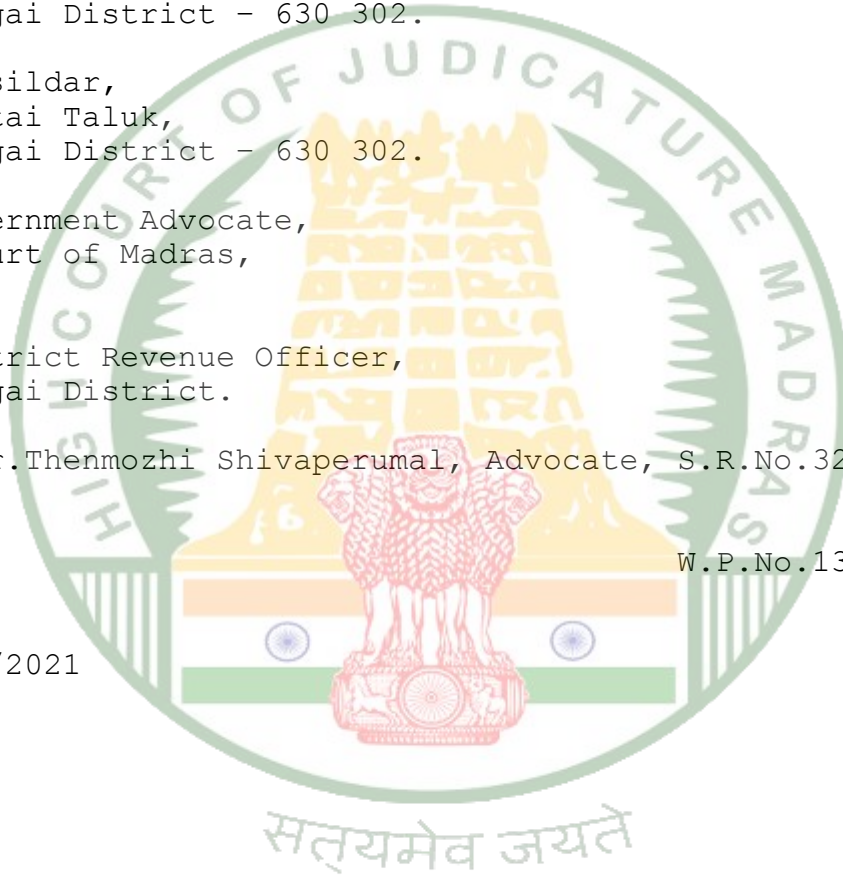
5. The Government Advocate,  
High Court of Madras,  
Chennai.

6. The District Revenue Officer,  
Sivagangai District.

+1cc to Mr. Thenmozhi Shivaperumal, Advocate, S.R.No.32994

W.P.No.13800 of 2020

RSV(CO)  
KKV/05/01/2021



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