

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.11.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.15485 of 2020

Vellaithai

... Petitioner

Vs.

1 The Tasildar ,
Dharapuram Taluk, Dharapuram,
Tirupur District

2 Thangamuthu

3. The Revenue Divisional Officer,
Dharapuram.

(Suo moto added as 3rd respondent)

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st Respondent to consider petitioner's representation dated 28.08.2020 seeking to remove the 2nd Respondents name from patta No. 407 which has been assigned for the land of petitioners family in R.S. No. 270/6 in Uthupalaym Village of Dharapuram Taluk in Tiruppur District within a stipulated time.

For Petitioner : Mr.N.Ponraj

For Respondents: Mr. E.Balamurugan, - R1 & R3
Special Government Pleader

W E B C O P Y
O R D E R

The Revenue Divisional Officer, Dharapuram, is suo moto added as the third respondent in this writ petition.

2. This Writ Petition has been filed for the issue of a writ of mandamus directing the respondents to consider the representation made by the petitioner on 28.08.2020 wherein the petitioner has sought for removal of the name of the second respondent from the revenue records.

3. Mr.E.Balamurugan, learned Special Government Pleader appearing on behalf of the first and third respondents submitted that the petitioner will have to file a formal

appeal before the third respondent, since he is seeking for cancellation of patta issued in favour of the second respondent. The learned counsel further submitted that the first respondent has called the parties for preliminary enquiry on 24.11.2020 at 11.00 A.M. and thereafter, the report will be placed before the third respondent and the third respondent will pass final orders in accordance with law.

4. The learned counsel appearing on behalf the petitioner submitted that the petitioner will file a formal appeal before the third respondent within the time stipulated by this Court.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the petitioner to file a formal appeal before the third respondent on or before 18.11.2020. The first respondent shall proceed further with the enquiry after giving opportunity to the petitioner and the second respondent and shall place the report before the third respondent within a period of six weeks from the date of receipt of a copy of the order. The third respondent, on receipt of the report, shall thereafter proceed further and pass final orders strictly in accordance with law within a period of six weeks thereafter.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

rli

To

- 1 The Tasildar ,
Dharapuram Taluk, Dharapuram,
Tirupur District.
2. The Revenue Divisional Officer,
Dharapuram.

+1cc to the Government Pleader, S.R.No. 35862

W.P.No.15485 of 2020

BP(CO)
GN(18/11/2020)