

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.16996 of 2020

1.K.Kulandaisamy
2.N.Saravanakumar

... Petitioners

Vs

1.The District Collector,
Namakkal District
Collectorate Campus
Trichencode Road,
Namakkal Town.

2.The Tahsildar,
Office of Tahsildar,
Senthamangalam, Senthamangalam Taluk
Namakkal District.

3.The Executive Officer (LAS)
Sarbangal Basin Division,
Public Works Department,
Namakkal District.

4.K.Subramani

5.K.Raji

6.K.Ganesan

7.Saraswathi

8.K.Arun

9.Parvathi

10.The Revenue Divisional Officer,
Senthamangalam Taluk,
Namakkal District.

... Respondents

(R10 suo motu impleaded as per the order of this
Court dated 03.12.2020)

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein to issue orders for cancelling the patta issued in the names of respondents 4 to 9 in Patta No.1106 in respect of the land situated at Reddipatti Village comprised in Survey No.219/3 as Government Poramboke Water Pond so as to safeguard the water pond comprised in S.No.219/3 and 219/7 situate in Reddipatti Village, Senthamangalam Taluk with consequential re-classification of the aforesaid land comprised in S.No.219/3 as Government Poramboke water Pond in consideration of the petitioners' representation dated 24.06.2020.

For Petitioners : Mr.S.Senthil
For R1 to R3 & R10 : Mr.Annai Ezhil
Government Advocate

ORDER

The Revenue Divisional Officer, Senthamangalam, Namakkal District, is suo motu added as the tenth respondent in this writ petition.

2.This Writ Petition has been filed for the issue of writ of mandamus directing the respondents 1 to 3 to act upon the representation made by the petitioners on 24.06.2020, wherein the petitioners are seeking for cancellation of patta issued in favour of the respondents 4 to 9.

3.Mr.Annai Ezhil, learned Government Advocate appearing on behalf of the respondents 1 to 3 and 10 submitted that the second respondent has already called the parties for preliminary enquiry on 15.12.2020 at 11.30 a.m. The learned counsel further submitted that the petitioners can be present at the time of enquiry along with all the relevant documents.

4.Taking into consideration the facts and circumstances of the case and also of the fact that the second respondent has already called the parties for preliminary enquiry, there shall be a direction to the second respondent to conduct the enquiry after affording sufficient opportunity to the petitioners and respondents 4 to 9 and submit the preliminary report to the tenth respondent, within a period of six weeks from the date of receipt of copy of this order. The tenth respondent, on receipt of the preliminary report from the second respondent, shall pass final orders strictly in accordance with law, within a period of four weeks thereafter.

5.This writ petition is disposed of with the above directions. No costs.

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Sd/-
Assistant Registrar(co)
//True Copy//
Sub Assistant Registrar

rk

To

1.The District Collector, Namakkal District,
Collectorate Campus
Trichencode Road, Namakkal Town.

2.The Tahsildar, Senthamangalam,
Senthamangalam Taluk
Namakkal District.

3.The Executive Officer (LAS), Sarbanga Basin Division,
Public Works Department, Namakkal District.

4.The Revenue Divisional Officer,
Senthamangalam Taluk,
Namakkal District.

+1cc to Mr.S.Senthil , Advocate SR.No. 39136

+1 cc to Government Pleader Sr.No. 39058

W.P.No.16996 of 2020

A.SK(06.01.2021)



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