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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

WP.Nos.2672 & 2675 of 2021 & WMP.Nos.2994 & 2999 of 2021

[Video Conferencing]

1. P.Thirumoorthy
2. K.Samidurai

... Petitioners in
WP.No.2672 of 2021

1. D.Deepaksaravanan
2. C.Suresh

... Petitioners
in WP.No.2675 of 2021

Versus

1. The District Collector
District Collector Office,
Erode-11.
2. The Revenue Divisional Officer
Revenue Divisional Office,
Brough Road, Erode.
3. The Revenue Tahsildar
Tahsildar Office, Modakurichi
Erode District.
4. The Revenue Inspector
46, Pudhur Village, Modakurichi Taluk
Erode District.
5. The Village Administrative Officer,
46, Pudhur Village, Modakurichi Taluk
Erode District.

- 6.M.Devaraj
- 7.D.Hariprasad

... Respondents in
both WPs

**RR6&7 impleaded as per orders of this Court
dated 16.04.2021 in WMP.Nos.4736/2021 & 4740/2021
in WP.Nos.2672 & 2675/2021



Prayer in WP.No.2672 of 2021 : - Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing respondents 3 to 5 herein to issue patta in petitioner's name for the properties in SF.Nos.264/4A, 264/7A, 264/10A, 264/6, 264/7C and 264/5 in 46, Pudhur Village, Modakurichi Taluk by considering the petitioner representation dated 21.12.2020.

Prayer in WP.No.2675 of 2021 : - Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing respondents 3 to 5 herein to issue patta in petitioner's name for the properties in SF.Nos.264/4A, 264/7A, 264/10A, 264/6, 264/7C and 264/5 in 46, Pudhur Village, Modakurichi Taluk by considering the petitioner representation dated 21.12.2020.

For Petitioners in	M/s.G.Keerthana
both Writ Petitions	: Mr.V.Lakshminarayanan
For RR 1 to 5 in both	
Writ Petitions	: Mr.Yogesh Kannadasan
	Government Advocate
For RR6 & 7 in both	
Writ Petitions	: Mr.V.S.Kesavan

COMMON ORDER

- (1) The scope of the writ petitions is narrow though Mr.V.Lakshminarayanan and Mr.V.S.Kesavan have issues with the representations made by the other side.
- (2) The issue relates insofar as the present writ petitions is concerned, with the representations given on 21.12.2020 in both the writ petitions, primarily to the 3rd respondent / Revenue Tahsildar, Modakurichi Taluk, Erode District, and grant patta in favour of the writ petitioners herein with respect to the properties in SF.Nos. 264/4A, 264/7A, 264/10A, 264/6, 264/7C and 264/5 in Pudhur Village, Modakurichi Taluk, Erode District.
- (3) It is stated that there have been Sale Deeds executed in favour of the writ petitioners herein. I am not examining the circumstances surrounding the execution of the said Sale Deeds because that is an aspect deeply questioned which have to be deciphered by the Judge who examines the documents and evidence in OS.No.136/2019 now pending on the file of the District Court at Erode.
- (4) In view of that, I refrain myself from going into a discussion with respect to the averments made in the writ petitions or in the affidavit filed in the application seeking to implead the respondents who are represented by Mr.V.S.Kesavan, learned counsel.



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- (5) A mandamus is directed to the 3rd respondent to examine the representations and prior to such examination of the said representations, issue notice to the writ petitioners and also to the contesting respondents, receive further representations in writing, granting an opportunity of hearing and examine the written materials and the arguments advanced and thereafter take a decision, whether, any orders can be passed with respect to the representations and if an order is passed declining to grant any order on the representations, reason for the same may also be given. The 3rd respondent may complete the said exercise within a period of twelve weeks from the date of receipt of a copy of this order. Let the parties agitate before the Civil Court with respect to any other issue in which they are already at lis in that particular suit.
- (6) The writ petitions stand disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

AP

To

1. The District Collector
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Erode-11.
2. The Revenue Divisional Officer
Revenue Divisional Office,
Brough Road, Erode.
3. The Revenue Tahsildar
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4. The Revenue Inspector
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Erode District.
5. The Village Administrative Officer,
46, Pudhur Village, Modakurichi Taluk
Erode District.

+2ccs to M/s.G.Keerthana, Advocate, S.R.No.37927, 37928

+1cc to the Government Pleader, S.R.No.38833

WP.Nos.2672 & 2675/2021

SRA(CO)

HS(24/08/2021)