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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.13655 of 2016

1. P. Thangavel (Deceased)
2. Deivanai
3. Vanjuvelu
4. Latha Mangeshkar
(P2 to P4 substituted as LRs of
deceased sole petitioner vide order
dated 01.11.2021 made in WMP.No.
19659 of 2021 in WP No.13655 of 2016)

....Petitioners

Vs

1. The District Collector,
Salem,
Salem District.

2. The Revenue Divisional Officer,
Attur,
Salem District.

3. The Tahsildar,
Attur,
Salem District.

4. V. Palanimuthu Pillai

5. Suseela

....Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, direction directing the second respondent to consider the petitioner's representation dated 22.02.2016.

For Petitioners : Mr.L. Rajendran

For R1 to R3 : Mr.P. Baladhandayutham
Special Government Pleader



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ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, for a direction directing the second respondent to consider the petitioner's representation dated 22.02.2016.

2. Heard, Mr.L. Rajendran, learned counsel appearing for the petitioners and Mr.P. Baladhandayutham, learned Special Government Pleader appearing for the respondents 1 to 3.

3. The case of the petitioner is that the petitioner filed an appeal as against the joint patta issued in favour of the petitioner and the respondents 4 and 5 herein before the second respondent on 22.02.2016. However, now a period of five years has been lapsed and as such, the representation of the petitioner may not be availed with the office of the second respondent.

4. Considering the above, the petitioner is directed to submit a fresh appeal before the second respondent challenging the joint patta issued in favour of the petitioner and the respondents 4 and 5 herein, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to issue notice to the petitioner and the respondents 4 and 5, by giving an opportunity of hearing to them and pass orders on merits and in accordance with law with in a period of twelve weeks thereafter.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

True Copy//

Sub Assistant Registrar

Lpp

To

1. The District Collector,
Salem,
Salem District.
2. The Revenue Divisional Officer,
Attur,
Salem District.



3. The Tahsildar,
Attur,
Salem District.

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NSK 25/01/2022