

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2021

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.No. 9751 of 2021

K.Palanimuthu,
S/o.Kattayan

...Petitioner

Versus

1. The District Revenue Officer,
Ariyalur District,
Ariyalur.

2. The Revenue Divisional Officer,
Udayarpalayam Division,
Ariyalur Dt.

3. The Tahsildar,
Sendurai Taluk,
Ariyalur District.

4. T.Sivalingam,
S/o. Thangaraj

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st respondent to take appropriate action for the cancellation of patta issued in favour of the 4th respondent in respect of Grama Natham SF No.369/23 of Ayanthathanur Village, Sendurai Taluk, Ariyalur District and also to restore the pathway by considering the representation dated 08.03.2021.

For Petitioner : Mr.S.Kamadevan

For Respondents : Mr.Y.Parthasarathy,
Govt. Advocate for R1 to R3

O R D E R

(The case has been heard through video conference)

This Writ Petition has been filed seeking a direction directing the 1st respondent to take appropriate action to cancel

the patta granted in favour of 4th respondent in respect of grama natham SF. No.369/23 at Ayanthathanur Village, Ariyalur District and to restore the pathway by considering the petitioner's representation dated 08.03.2021.

2. In view of the order is going to be passed in the present Writ Petition, which will not prejudice the interest of the 4th respondent, notice to the 4th respondent is dispensed with.

3. The grievance of the petitioner is that the petitioner along with others are the owners of the property in Survey No.357/10H at Mullaiyur Village, Ayanthathanur, Senthurai Taluk. Aabetting the land, there is a pathway running in Survey No.369/23. The petitioner along with others are using the pathway to reach their land, the U.D.R. Register also shows the same only as pathway. Subsequently, without knowledge of petitioner, a patta has been granted to 4th respondent. Hence, seeking to cancel the patta, the petitioner has made a representation dated 08.03.2021 to the 1st respondent and thereafter, the 1st respondent also directed the 3rd respondent Tahsildar to conduct enquiry and file a report. But, so far, no report has been filed and no order has been passed on his representation. Hence, the present Writ Petition has been filed by the petitioner.

4. The learned counsel appearing for petitioner would submit that he would be satisfied, if the 1st respondent is directed to consider the representation and pass suitable orders within the stipulated time as fixed by this Court.

5. Considering the limited prayer sought in this Writ Petition, without going into the merits of the case, the 1st respondent is directed to complete the enquiry and to pass suitable orders on merits in accordance with law after hearing the petitioner as well as 4th respondent, within a period of twelve weeks from the date of receipt of copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpp

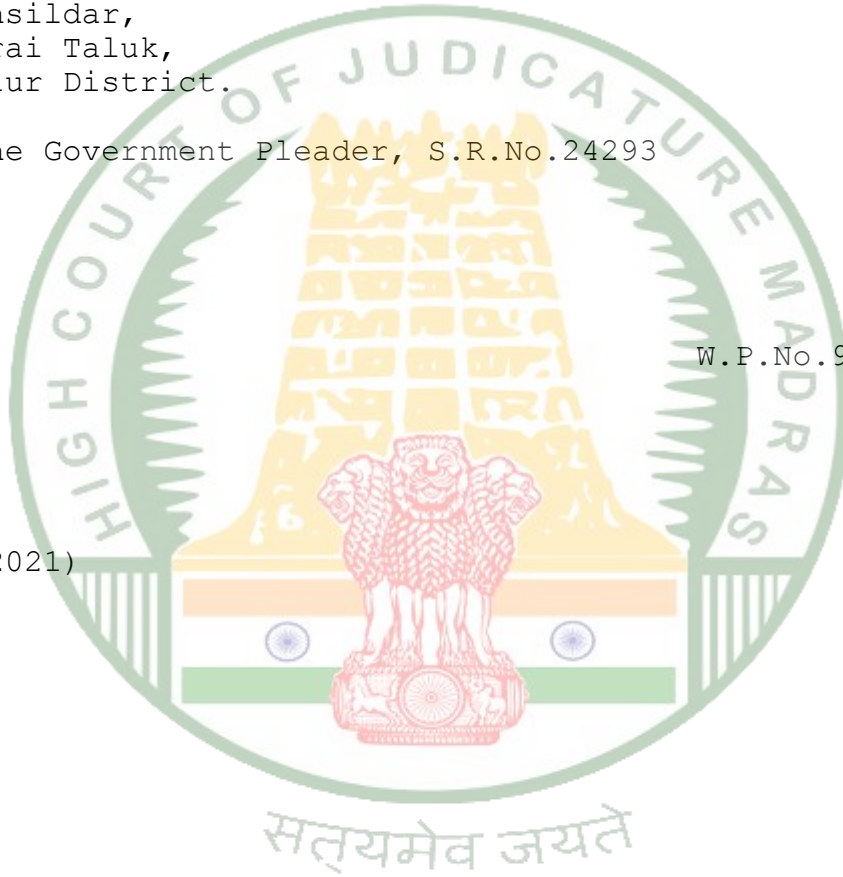
To

1. The District Revenue Officer,
Ariyalur District,
Ariyalur.
2. The Revenue Divisional Officer,
Udayarpalayam Division,
Ariyalur Dt.
3. The Tahsildar,
Sendurai Taluk,
Ariyalur District.

+1cc to the Government Pleader, S.R.No.24293

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UM(CO)
RN(15/06/2021)



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