

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.10479 of 2021

K.Azhagan

.. Petitioner

Vs.

1. The District Collector,
O/o the District Collectorate,
Salem District.
2. The Revenue Divisional Officer,
O/o the Revenue Divisional Officer,
Attur Taluk, Salem District.
3. The Tahsildar,
O/o the Tahsildar,
Gengavalli Taluk,
Salem District.
4. Chinnakannu
5. Mohandass .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the second respondent to cancel the illegal Patta No.184 in the name of the 4th and 5th respondents issued by the second respondent and consequently consider the petitioner's representation on 07.04.2021.

For Petitioner : Mr.G.Munuraj

For Respondents 1 to 3 : Mr.V.Parthasarathy,
Government Advocate

O R D E R

(The case has been heard through video conference)

This writ petition has been filed seeking a direction to the second respondent to cancel Patta No.184, standing in the name of the 4th and 5th respondents, and consequently consider the petitioner's representation dated 07.04.2021.

2. According to the petitioner, he purchased the property from one T.K.Ramachandran in the year 1992 and the said sale deed was registered as Document No.639 of 1992, dated

16.09.1992, in the office of the Sub Registrar, Thambampatti. After purchasing the property, he was in possession and enjoyment of the property. Thereafter, without the knowledge of the petitioner, the 4th and 5th respondents herein, had obtained patta in their favour. Immediately, the petitioner filed an appeal before the second respondent Revenue Divisional Officer to cancel the said patta and issue patta in favour of the petitioner. Since no orders have been passed, he filed the present writ petition.

3. Today, when the matter came up for hearing, the learned Government Advocate appearing for the respondents 1 to 3 submitted that the second respondent will consider the said representation of the petitioner and will pass suitable orders on merit.

4. Considering the limited prayer sought for by the petitioner, without expressing any opinion on the merits of the case, this Court directs the second respondent Revenue Divisional Officer to consider the representation of the petitioner dated 07.04.2021 and after giving an opportunity of hearing to the petitioner as well as the 4th and 5th respondents, pass suitable orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS-CCC)

//True copy//

Sub Assistant Registrar

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To

1. The District Collector,
O/o the District Collectorate,
Salem District.
2. The Revenue Divisional Officer,
O/o the Revenue Divisional Officer,
Attur Taluk, Salem District.
3. The Tahsildar,
O/o the Tahsildar,
Gengavalli Taluk,
Salem District.

+1cc to Mr.G.Munuraj, Advocate SR.No.25911

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GMR (30/06/2021)