

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2021

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.No.9755 of 2021

Nachimuthu,
S/o. Arumuga Gounder

...Petitioner

Versus

1. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Mohanur Road, Namakkal.

2. The Tahsildar,
Mohanur Taluk,
Namakkal Dt.

3. C.Arumugam,
S/o. Chellappa Gounder

...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 herein to dispose of the petitioner's representation dated 09.02.2021 to restore the survey No.562/1 by cancelling the sub-division made by the 2nd respondent in respect of land comprised in Survey Nos.562/1A and 562/1B situated in Oruvanthur Village, Mohanur Taluk, Namakkal District within a time frame as may be decided by this Hon'ble Court.

For Petitioner : Mr.D.Vairamoorthy

For Respondents : Mr.M.Manigopi,
Govt. Advocate for R1 and R2

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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 dispose of the petitioner's representation dated 09.02.2021 to restore the survey No.562/1 by canceling the sub-division made by the 2nd respondent within a time frame as may be decided by this Court.

2. In view of the order is going to be passed in the

present Writ Petition, which will not prejudice the interest of the 3rd respondent, notice to the 3rd respondent is dispensed with.

3. The grievance of the petitioner is that earlier, a joint patta has been issued in favour of petitioner and 3rd respondent. Thereafter, without knowledge of petitioner, on the application filed by the 3rd respondent, an exclusive patta has been issued in favour of him. Hence, the petitioner has made a representation to cancel the patta on 09.02.2021, but, so far, it was not considered and no order has been passed on it. Hence, the present Writ Petition has been filed by the petitioner.

4. Considering the limited prayer sought in this Writ Petition, without going into the merits of the case, the 1st respondent is directed to consider the petitioner's representation dated 09.02.2021 and pass suitable orders on merits in accordance with law after hearing the petitioner as well as 3rd 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Mohanur Road, Namakkal.

2. The Tahsildar,
Mohanur Taluk,
Namakkal Dt.

+1cc to Mr.S.Senthil, Advocate, S.R.No.23855

+1cc to the Government Pleader, S.R.No.24298

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