

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.04.2021
CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No. 10677 of 2021
and
WMP No.11302 of 2021

1. C. Madhavan
2. Kousi
3. P. Govindarajan
4. A. Rajendran
5. R. Saraswathi

... Petitioners

Vs

1. The District Collector,
Office of the District Collector,
Namakkal
2. The Revenue Divisional Officer,
Mohanur Road,
Namakkal.
3. The Tahsildar,
Office of Tahsildar,
Namakkal Taluk and District

4. Valarmathi ... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent by considering and disposing the petitioners' representation dated 16.03.2021 to cancel the patta issued in favour of the 4th respondent in respect of land comprised in Survey No.60/4A and classify the same as before viz., as Government Poramboke Pond.

For petitioner ... Mr. D. Vairamoorthy

For respondents ... Mr. M. Manigopi,
1 to 3 Govt. Advocate

ORDER

This writ petition has been filed seeking a direction to the 2nd respondent to consider the petitioners' representation dated 16.03.2021 to cancel the patta issued in favour of the 4th respondent.

2. According to the petitioners, the 3rd respondent/Tahsildar granted patta in favour of the 4th respondent in respect of the land classified as a Kuttai Poromboke. The petitioners, who are neighbouring land owners are taking water from the above said kuttai. Hence, they made a representation dated 16.03.2021 to cancel the patta issued in favour of the 4th respondent. But, so far no order has been passed. Hence, the present writ petition has been filed.

3. In view of the nature of the order, that is going to be passed in the writ petition, which no way would prejudice the interest of the 4th respondents, notice to the 4th respondent is dispensed with.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3

5. Considering the facts and circumstances of the case and the limited prayer sought for in the writ petition, and the petitioner's representation dated 16.03.2021 is pending with the second respondent/ Revenue Divisional Officer, without going into the merits of the case, the second respondent is directed to consider the petitioner's representation dated 16.03.2021 and pass suitable orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The District Collector,
Office of the District Collector, Namakkal.
2. The Revenue Divisional Officer,
Mohanur Road, Namakkal.
3. The Tahsildar,
Office of Tahsildar,
Namakkal Taluk and District

+1cc to Mr.S.Senthil, Advocate SR.No. 26056

+1 cc to Government Pleader Sr.No. 26335

W.P. No. 10677 of 2021

AJS (CO)

A.SK(08.07.2021)