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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2021

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No. 10904 of 2021
and
WMP No.11541 of 2021

G. Elumalai ... Petitioner

Vs

1. The District Collector,
Office of the District Collector,
Villupuram, Villupuram District.
2. The District Revenue Officer,
Villupuram DRO Office,
Kallakurichi,
Villupuram , Villupuram District.
3. The Reveue Divisional Officer,
Tindivanam RDO Office,
Tidivanam, Villupuram District.
4. The Tahsildar,
Taluk Office,
Melmalayanur Taluk,
Villupuram District.
5. The Block Development Officer,
Office of the BDO,
Melmalayanur,
Villupuram District.

6. Murugan ... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to conduct enquiry and pass orders on the petitioner's appeal dated 01.02.2021 submitted against the issuance of patta in the name of the 6th respondent to the lands in Survey No.27/8A3 which has been used as pathway for the past several decades and to restore the same as pathway in all the



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Revenue records related the land in Survey No.27/8A3 of Pinnanur village, Melmalayanur Taluk, Villupuram District.

For petitioner ... Mr.V.R. Appaswamee

For respondents ... Mr.E. Balamurugan
R1 to R5 Spl. Govt. Pleader

ORDER

This writ petition has been filed seeking a direction to the 3rd respondent to conduct enquiry and pass orders on the petitioner's Appeal dated 01.02.2021.

2. According to the petitioner, he has filed an appeal on 01.02.2021 before the 3rd respondent/The Revenue Divisional Officer to cancel the patta issued in favour of the 6th 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 6th respondent, notice to the 6th respondent is dispensed with.

4. Today, when the matter is taken up, the learned Special Government Pleader appearing for the respondents 1 to 5 would submit that the third respondent/Revenue Divisional Officer fixed the enquiry on 12.05.2021.

5. Considering the facts and circumstances of the case and the limited prayer sought for in the writ petition and also the fact that already enquiry has been commenced, without going into the merits of the case, the third respondent/Revenue Divisional officer is directed to proceed with the enquiry in the petitioner's appeal dated 01.02.2021 and pass suitable orders on merits and in accordance with law after giving opportunity to the petitioner as well as the 6th respondent, within a period of eight (8) 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



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+1cc to Mr. V.R. APPASWAMEE, Advocate, S.R.No.26497
+1cc to the Government Pleader, S.R.No.27067

W.P. No. 10904 of 2021

SVI (CO)
BE (15/07/2021)