



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.12990 of 2021

and

W.M.P. No.13796 of 2021

K.Kuppurangam,
S/o. Kathavarayan

... Petitioner

Vs.

1. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
2. The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.
3. The Revenue Divisional Officer,
Tiruvannamalai Division,
Tiruvannamalai,
Tiruvannamalai Dt.
4. The Tahsildar,
Kilpennathur Taluk,
Kilpennathur,
Tiruvannamalai Dt.
5. The Revenue Inspector,
Kilpennathur Circle,
Kilpennathur,
Tiruvannamalai Dt.
6. Village Administrative Officer,
Budhamangalam Village,
Kilpennathur Taluk,
Tiruvannamalai Dt.
7. Kannan,
S/o. Late Ammavasai

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd Respondent to consider the petitioner's representation dated 13.03.2017 and consequently to cancel the



patta No.439, pertaining to the land measuring 0.59 ares situated at Budhamangalam Revenue Village, Keezhpennathur Taluk, Tiruvannamalai District at the earliest point of time as may be fixed by this Hon'ble Court.

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For Petitioner : Mr.N.Elumalai

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate for R1 to R6

O R D E R

(The case has been heard through video conference)

The writ petition has been filed seeking a direction directing the 3rd respondent to consider petitioner's representation dated 13.03.2017 and consequently to cancel the patta pertaining to the land measuring 0.59 ares situated at Budhamangalam Revenue Village, Keezhpennathur Taluk, Tiruvannamalai District at the earliest point of time as fixed 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 7th respondent, notice to the 7th respondent is dispensed with.

3. The grievance of the petitioner is that, the petitioner is in possession and enjoyment of property in Survey No.146/6 and 141/1 in Boothamangalam Village, Keezhpennathur Taluk, Tiruvannamalai District measuring an extent of 1.66 acres and another extent of 1.46 acres of land in Survey No.141/5 was classified as dry land, which was used by the petitioner as access to his land including other farmers. Recently, the 3rd respondent has assigned the said land in favour of 7th respondent and now, the 7th respondent is preventing the petitioner and other farmers from using the land. In the said circumstances, he has filed an application before the 4th respondent Tahsildar to cancel the assignment. After receipt of application, the 4th respondent has also sent a communication to the 3rd respondent recommending cancellation of patta. But, so far, his application 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 the Writ Petition, without going into the merits of the case, the 3rd respondent Revenue Divisional Officer is directed to consider the petitioner's representation and pass suitable orders on merits in accordance with law after giving opportunity to the petitioner as well as 7th respondent within a period of twelve weeks from the date of receipt of a copy of this order.



Accordingly, this Writ Petition stands disposed of. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
2. The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.
3. The Revenue Divisional Officer,
Tiruvannamalai Division,
Tiruvannamalai,
Tiruvannamalai Dt.
4. The Tahsildar,
Kilpennathur Taluk,
Kilpennathur,
Tiruvannamalai Dt.
5. The Revenue Inspector,
Kilpennathur Circle,
Kilpennathur,
Tiruvannamalai Dt.
6. Village Administrative Officer,
Budhamangalam Village,
Kilpennathur Taluk,
Tiruvannamalai Dt.

+1cc to M/s. Elumalai, Advocate, S.R.No.28758

+1cc to the Government Pleader, S.R.No.29007

W.P.No.12990 of 2021

PL(CO)
GN(16/07/2021)