



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No. 13817 of 2019

D. Balakrishnan

...

Petitioner

Vs

1. The District Collector,
Tirupur District.

2. The Tahsildar,
Udumalpet Taluk ,
Tirupur District.

3. T. Jothi
W/o. Thirumalai Sami

4. K. Thirumalai Sami
S/o. Konda Sami

5. The Revenue Divisional Officer,
Udumalpet.

...

Respondents

(5th respondent is suo motu impleaded
vide order of this Court dated 02.07.2021)

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to conduct the enquiry and cancel the patta issued by the 2nd respondent to and in favour the 3rd respondent in Na.Ka.10006/11215 dated 26.12.2011, by the 2nd Respondent.

For petitioner	...	Mr. S. Saravanan
For respondents	...	Mr. KMD. Muhilan
		Government Advocate
		for R1 and R2

ORDER

This writ petition has been filed seeking a direction to the first respondent to cancel the patta issued by the 2nd respondent in favour of the 3rd respondent.

2. According to the petitioner, the petitioner has filed an appeal before the first respondent/District Collector to cancel the patta issued in favour of the 3rd respondent. In turn, the



District Collector, by an order dated 07.05.2018 forwarded the application to the Revenue Divisional Officer, Udumalpet. Thereafter, by a memorandum dated 30.05.2018, the Revenue Divisional Officer, Udumalpet, directed the 2nd respondent/Tahsildar to submit his report. But, so far the no order has been passed. Hence, the present writ petition has been filed.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2.

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

5. The representation given by the petitioner with regard to cancellation of patta is now pending with the Revenue Divisional Officer, Udumalpet. Hence, the Revenue Divisional Officer, Udumalpet is impleaded as 5th respondent in this writ petition.

6. Considering the fact that matter is pending with the 5th respondent/Revenue Divisional Officer, Udumalpet, the 5th respondent is directed to consider the petitioner's application for cancellation of patta and pass suitable orders on merits and in accordance with law after issuing notice to the petitioner as well as the respondents 3 and 4, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The District Collector,
Tirupur District.

2. The Tahsildar,
Udumalpet Taluk ,
Tirupur District.

3. The Revenue Divisional Officer,
Udumalpet.

+lcc to Mr.N.Thiyagarajan, Advocate SR.No. 31037

W.P. No. 13817 of 2019

PL(CO)

B.VC(10.08.2021)