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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2021

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No. 14418 of 2021

M. Chinnasamy ...Petitioner

Vs

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The District Revenue Divisional Officer,
Revenue Divisional Office,
Dharmapuri District,
Dharmapuri.
3. The Tahsildar,
Nallampalli Taluk,
Dharmapuri District.
4. The Zonal Deputy Tahsildar,
Nallampalli Taluk,
Dharmapuri District.
5. The Village Administrative Officer,
Thalavaihalli Village Administrative Office,
Nallampalli Taluk,
Dharmapuri District.

6. Selvam ...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to consider and dispose of the petitioner's representation dated 23.03.2021 for cancellation of patta No.404, which was granted to the 6th respondent by the 3rd respondent by way of modifying the said patta and grant the patta for the petitioner's property of land measuring an extent of 0.27 cents in S.No.601/1 of Thalavaihalli Revenue Village, Nallampalli Taluk, Dharmapuri District.

For petitioner	...	Mr. A. Ilayaperumal
For respondents	...	Mr. Yogesh Kannadasan, Government Advocate for R1 to R5



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ORDER

This writ petition has been filed seeking a direction to the 3rd respondent to dispose of the petitioner's representation dated 23.03.2021.

2. According to the petitioner, he is the owner of the property in Survey No.601/1 to an extent of 0.27 in Thalavaihalli Revenue Village, Nalampalli Taluk, Dharmapuri District and he has purchased the same in the year 2005. All of a sudden, the 3rd respondent, without conducting any enquiry whatsoever, issued patta in favour of the 6th respondent.. Therefore, he made a representation before the 3rd respondent to cancel the patta issued in favour of the 6th respondent and issue patta in his favour. 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 going to be passed in the writ petition, which no way prejudice the interest of the 6th respondent, notice to the 6th respondent is dispensed with.

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

5. Considering the facts and circumstances of the case and the limited prayer sought for in the writ petition, and also the fact that the petitioner's representation dated 23.03.2021 is pending with the 3rd respondent , without going into the merits of the case, the 3rd respondent is directed to consider the petitioner's representation dated 23.03.2021 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 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.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

mrp



To

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The District Revenue Divisional Officer,
Revenue Divisional Office,
Dharmapuri District,
Dharmapuri.
3. The Tahsildar,
Nallampalli Taluk,
Dharmapuri District.
4. The Zonal Deputy Tahsildar,
Nallampalli Taluk,
Dharmapuri District.
5. The Village Administrative Officer,
Thalavaihalli Village Administrative Office,
Nallampalli Taluk,
Dharmapuri District.

+1cc to Mr.A.Ilayaperumal, Advocate, S.R.No.33229
+1cc to the Government Pleader, S.R.No.34001

W.P. No. 14418 of 2021

BS (CO)
SB(16/08/2021)