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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.08.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

WP.No.16187/2021 & WMP.No.17131/2021

[Video Conferencing]

Sangeetha

...Petitioner

Versus

1.The Principal Secretary/Commissioner
Land and Registration Department
PWD Estate, Survey House
Chepauk, Chennai 600 005.

2.The District Collector
Collector Office,
Thiruvannamalai District.

3.District Revenue Officer
District Revenue office,
Vengikal, Thiruvannamalai District
Pincode 606 604.

4.The Revenue Divisional Officer
Revenue Divisional Office
Arani, Tiruvannamalai District
Pincode 632 301.

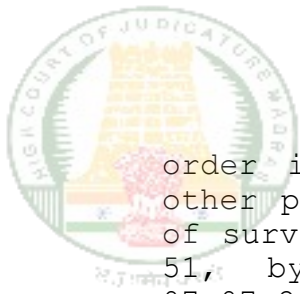
5.The Tahsildar
Office of the Tahsildar
Pollur Taluk, Pollur
Pincode 606 603.

6.Village Administrative Officer
Kalpattu Village
Kattukanallur Via
Pollur Taluk, Thiruvannamalai District
Pincode 632 312.

7.Vijaya

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 2 and 4 herein to cancel the illegal assignment



order issued in favour of the 7th respondent and also in any other person and issue assignment patta in my favour in respect of survey No.237, Kalpattu Revenue Village, Irumbuli Village 9B-51, by considering the petitioner's representation dated 07.07.2021 and further representation 14.07.2021 within the stipulated period prescribed by this Court.

For Petitioner : Mr.V.Neethidurai
For RR 1 to 6 : Mr.Yogesh Kannadasan
Government Advocate

ORDER

- (1) Mr.Yogesh Kannadasan, learned Government Advocate accepts notice on behalf of the respondents 1 to 6.
- (2) The writ petition has been filed in the nature of a mandamus seeking a direction against respondents 2 and 4, viz., the District Collector, Tiruvannamalai District and the Revenue Divisional officer, Cheyyar Taluk, Tiruvannamalai District to cancel the assignment which had been granted in favour of the 7th respondent and also in the name of any other person and issue assignment patta in favour of the petitioner with respect to S.No.237, Kalpattu. Revenue Village, Irumbuli Village.
- (3) In this case, it is the claim of the learned counsel for the petitioner that though the petitioner has been in possession for quite some considerable time in the said plot of land, which according to the learned counsel, is the only source of livelihood for the petitioner by growing groundnuts in the said land, the respondents, particularly, respondents 5 and 6, viz., the Tahsildar, Pollur and the Village Administrative Officer of Kalpattu Village, Pollur Taluk, had informed the petitioner to vacate the lands claiming that assignment had been granted to the 7th respondent and to several other persons. The petitioner, in this connection, claims that no written order had been passed. The petitioner claims she was also not heard prior to the issuance of any such order. The petitioner is completely ignorant of any order passed in writing either cancelling the assignment in favour of the petitioner or granting assignment in favour of any other person. In this connection, the petitioner had given representations on 07.07.2021 and 14.07.2021 respectively.
- (4) Let me not go more deeply into the facts, but rather, place an obligation on the respondents, particularly, respondents 4 and 5, viz., the Revenue Divisional Officer at Arani and Tahsildar, Pollur Taluk at Pollur, to examine the



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representations given by the petitioner, issue notice to the petitioner, issue notice to any other interested person with respect to the said lands, thereafter hear any objections, hear the representation and pass a considered order. Let the entire exercise be completed within a period of twelve weeks from the date of receipt of a copy of this order.

- (5) The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The Principal Secretary/Commissioner
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Kalpattu Village
Kattukanallur Via
Pollur Taluk, Thiruvannamalai District
Pincode 632 312.

+lcc to the Government Pleader,Sr.39092

WP.No.16187/2021

PCH[co]
NSK 25/08/2021