



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. No.15733 of 2021

and

W.M.P. No. 16633 of 2021

P.Kalaiselvan,
S/o. TMS. Palanisamy

... Petitioner

-Vs-

1. The District Collector,
Tiruppur,
Tiruppur Dt.
2. The Revenue Divisional Officer,
Palladam, Tiruppur,
Tiruppur Dt.
3. The Tahsildar,
Palladam Taluk,
Tiruppur Dt.
4. The Village Administrative Officer,
P.Vadugapalayam Village,
Palladam Taluk, Tiruppur Dt.
5. TMS. Palanisamy,
S/o. Subbaiya Gounder
6. G.Ramadoss,
S/o. Govindaraj

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to cancel the patta in the name of third persons including 5th and 6th respondents in respect of the property admeasuring 5 acre 83 cents comprised in S.No.20 and Patta No.25 is situated at Vadugapalayam Village, Palladam Taluk, Coimbatore District and restore the patta by considering the petitioner's representation dated 05.03.2021.



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For Petitioner : Mr.R.Rajarajan

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate for R1 to R4

O R D E R

(The case has been heard through video conference)

The Writ Petition has been filed seeking a direction directing the 2nd respondent to consider the petitioner's representation dated 05.03.2021 requesting to cancel patta issued in the name of respondents 5 and 6.

2. In view of the order is going to be passed in the present Writ Petition, which will not prejudice the interest of the respondents 5 and 6, notice to the respondents 5 and 6 are dispensed with.

3. The grievance of the petitioner is that, against the order passed by the 3rd respondent Tahsildar granting patta in favour of 6th respondent, he has filed an appeal before the 2nd respondent Revenue Divisional Officer on 05.03.2021, and that appeal is pending for long time. Hence, he has approached the respondents seeking to cancel the patta and the District Revenue Officer by an order dated 17.03.2021 has also directed the 3rd respondent to conduct enquiry. But, so far, no enquiry was conducted 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 case, the 3rd respondent Tahsildar is directed to consider the petitioner's appeal and pass suitable orders on merits in accordance with law after hearing the petitioners as well as respondents 5 and 6 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, connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rpp



To

1. The District Collector,
Tiruppur, Tiruppur Dt.
2. The Revenue Divisional Officer,
Palladam, Tiruppur,
Tiruppur Dt.
3. The Tahsildar,
Palladam Taluk,
Tiruppur Dt.
4. The Village Administrative Officer,
P.Vadugapalayam Village,
Palladam Taluk, Tiruppur Dt.

+1cc to Mr.R.Rajarajan, Advocate, S.R.No.36512
+1cc to the Government Pleader, S.R.No.37360

W.P.No.15733 of 2021

EV(CO)
HS(23/08/2021)