



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

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**W.P. (MD) .No.11282 of 2021
and W.M.P. (MD) .No.8810 of 2021**

Narbheram Solar TN Private Limited,
represented by its Assistant Manager D.Arthi Kannan,
Having its Registered office at
Avani signature, 6th Floor, 91A/1-Park Street,
West Bengal, Kolkata - 700 016. ... Petitioner
Vs.

- 1.The District Collector,
Thoothukudi District,
Thoothukudi - 628 101.
- 2.The District Revenue Officer,
Thoothukudi District,
Thoothukudi - 628 101.
- 3.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District - 628 501.
- 4.The Tahsildar,
Kayathur Taluk,
Thoothukudi District - 628 952.
- 5.The Deputy Tahsildar,
Kayathur Taluk,
Thoothukudi District - 628 952.

6.Shanmugha Lakshmi ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the patta issued in the name of 6th respondent and quash the impugned order dated 18.12.2020, in patta Nos.1882 and 641 in Survey Nos.6/1 and 6/2, Therku Mayilodai Village, Kayathar Taluk, Thoothukudi District, order passed by the 5th respondent Deputy Tahsildar, Kayathar Taluk and consequently, directing the 4th respondent Tahsildar, Kayathar Taluk to enquire into the matter by giving due opportunity to the petitioner and to enquire the matter in compliance with the provisions under the Tamil Nadu Patta Pass Book Act, 1983 and the Tamil Nadu Patta Pass



For Petitioner

: Mr.K.Sekar

For Respondents

: Mr.R.Suresh Kumar for R1 to R5
Government Advocate

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ORDER

This writ petition has been filed for the issue of a writ of Mandamus, directing the fourth respondent to consider the representation made by the petitioner, on 22.12.2020, wherein, the petitioner is seeking for interference of the proceedings of the fifth respondent, dated 18.12.2020.

2.The case of the petitioner is that the petitioner company had purchased the subject property by virtue of a registered sale deed, dated 03.09.2018, which was registered as document No.3850/2018. The further case of the petitioner is that patta was also issued in the name of the company in patta Nos.1822 and 641.

3.The grievance of the petitioner is that the fifth respondent without any authority and without issuing any notice to the petitioner had included the name of the sixth respondent in the patta on 18.12.2020.

4.Aggrieved by the same, the petitioner made a representation to the fourth respondent, on 22.12.2020, to reverse the proceedings of the fifth respondent and to restore the patta to its original position by showing the name of the petitioner company in the revenue records and in the patta. Since the same was not considered, the present writ petition has been filed before this Court, seeking for appropriate directions.

5.Heard Mr.K.Sekar, learned counsel appearing for the petitioner and Mr.R.Suresh Kumar, learned Government counsel appearing for the respondents 1 to 5.

6.Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the fourth respondent to consider the representation made by the petitioner company, on 22.12.2020, after affording opportunity to the petitioner and the sixth respondent and deal with the same on its own merits and in accordance with law and pass final orders, within a period of six weeks from the date of receipt of a copy of this order.

7.The petitioner is directed to make a fresh representation to the fourth respondent along with all relevant documents and also a copy of this order.



8.This writ petition is disposed of with the above directions.
No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AE)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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+1 CC to M/s.SPL GP (SR-21947[F] dated 09/07/2021)

+1 CC to M/s.K.SEKAR, Advocate (SR-22008[F] dated 09/07/2021)

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CM(CO)

RD(15.07.2021) 3P 8C