



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.6008 OF 2022  
W.M.P.NO.6100 OF 2022

B.Dhakshinamoorthy

... Petitioner

.Vs.

1. The District Collector,  
Vellore,  
Vellore District.

2. The Revenue Divisional Officer,  
Tirupattur,  
Vellore District.

3. The Tahsildar,  
Tirupattur,  
Vellore District.

4. The Special Tahsildar,  
Harijan and Backward Classes Welfare,  
Tirupattur,  
Vellore District.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from cancelling the Patta in the name of the petitioner with respect to the property admeasuring 1.45 hectares comprised in S.No.120/1, property admeasuring 0.72.50 hectare comprised in S.No.120/2 and property admeasuring 0.41.00 comprised in S.No.132/2, situated in Perampattu village, Tirupattur Taluk, Vellore District in Patta No.161 and direct the respondents to consider the representation dated 28.11.2021.

For petitioner : Mr.R.Rajarajan

For Respondents : Mr.P.Sathish  
Additional Government Pleader



## ORDER

The petitioner has filed this petition to forbear the respondents from cancelling the Patta in the name of the petitioner with respect to the property admeasuring 1.45 hectares comprised in S.No.120/1, property admeasuring 0.72.50 hectare comprised in S.No.120/2 and property admeasuring 0.41.00 comprised in S.No.132/2, situated in Perampattu village, Tirupattur Taluk, Vellore District in Patta No.161 and direct the respondents to consider the representation dated 28.11.2021.

2. Mr.P.Sathish, learned Additional Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the owner of the property admeasuring 1.45 hectares comprised in S.No.120/1, property admeasuring 0.72.50 hectare comprised in S.No.120/2 and property admeasuring 0.41.00 comprised in S.No.132/2, situated in Perampattu village, Tirupattur Taluk, Vellore District. The petitioner had acquired the property by way of a Will dated 10.01.1979 and obtained the Patta in his name. However, the fourth respondent forcibly attempted to take possession of the said properties, claiming that the said land is Poramboke and they have decided to plot out the land and grant assignments to the landless persons. Thereafter, the petitioner filed a writ petition before this Court in W.P.No.2318 of 2017, and the same was disposed of on 18.11.2020 with the direction that the petitioner would not be dispossessed from his lands except following due process of law. Hence, the petitioner made a representation dated 28.11.2021 before the respondents to give an opportunity before mutating the revenue records or cancelling the Patta which stands in the name of the petitioner. However, till date no action has been taken by the respondents. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court may directs the respondents to consider the petitioner's representation dated 28.11.2021 and pass appropriate orders, within the time frame that may be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents submits that the petitioner's representation dated 28.11.2021 will be considered by the respondents, within the time frame that may be fixed by this Court.



6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 28.11.2021, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

tri/skt

To

1. The District Collector,  
Vellore,  
Vellore District.
2. The Revenue Divisional Officer,  
Tirupattur,  
Vellore District.
3. The Tahsildar,  
Tirupattur,  
Vellore District.
4. The Special Tahsildar,  
Harijan and Backward Classes Welfare,  
Tirupattur,  
Vellore District.

+1cc to Mr.R.Rajarajan, Advocate, S.R.No.18259  
+1cc to the Government Pleader, S.R.No.18585

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PMK (CO)  
PBS/05/04/2022