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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7461 of 2022
and WMP.No.7464 and 7465 of 2022

1.N.Loganathan
2.R.Padmini
3.N.Ramasamy
4.N.Kalyanakumar
Petitioners 1 to 4 were
rep.by its Power of Attorney
Mr.R.Raja

... Petitioners

Vs.

1.The Tahsildar,
Cheyyur Taluk,
Cheyyur, Chengalpet District.

2.Regional Divisional Officer,
Maduranthakam,
Chengalpet District.

3.K.Kumaravelu

... Respondents

PRAYER: The Writ Petition filed under Section 226 of Constitution of India, pleased to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to the impugned proceedings dated 24.10.2020 bearing Na.Ka. No. 718 / 2020 / A2 by the 1st respondent and quash the same consequently directing the 1st and 2nd respondents to restore the Petitioners names in the patta bearing No. 2460 of Panaiur Village.

For Petitioners : Mr.G.Srivenkatesh

For Respondents : Mr.V.Veluchamy
Additional Government Pleader



O R D E R

The petitioner has filed this petition for issuance of Writ of Certiorarified Mandamus to call for the entire records pertaining to the impugned proceedings dated 24.10.2020 bearing Na.Ka. No. 718 /2020 / A2 by the 1st respondent and quash the same and consequently direct the respondents 1 and 2 to restore the Petitioners names in the patta bearing No. 2460 of panaiur Village.

2. The case of the petitioner is that the property situated at Panaiur Village, Cheyyur Taluk, comprised in New.S.F.No.205/1A25A (old S.F.No.205/1) measuring 1.72.0 hecters was originally stands in the name of Mr.Kumaravelu and Mr.Thiyagaraja Muthalaiyar under joint patta No.2460 and further the petitioners were declared as the legal heirs of the said Thiyagaraja Mudaliar, vide judgment dated 28.04.2014. Thereafter, the petitioners approached the 1st respondent with the above said decree to mutate the revenue records. While being so, it is alleged by the petitioner that without the petitioners knowledge, the 3rd respondent herein approached the 1st respondent by way of application to remove the petitioners' principal name from the said patta and the same has also been accepted by the 1st respondent and passed the order to remove the petitioners' principals names from the said patta vide proceedings dated 24.10.2020 and against the said order, the petitioner preferred an appeal dated 18.08.2021 before the 2nd respondent, whereby, the petitioner was directed to appear before the 2nd respondent on 31.08.2021 with necessary documents to prove their principals' title and the petitioner appeared on the same day with required documents, but till now, the order has not been passed by the 2nd respondent. Therefore, he is constrained to approach this Court by filing this Writ Petition.

3. The learned counsel appearing for the petitioner submitted that it would suffice if this Court issues direction to the respondents to conclude the enquiry proceedings within a stipulated time as fixed by this Court.

4.The learned Additional Government Pleader appearing for the official respondents has no objection for said order being passed and he submitted that the enquiry proceedings will be concluded within a specified time.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 2nd respondent to consider the petitioner's appeal dated 18.08.2021 on merits and in accordance with law and pass



appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs. Consequently connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar (CS-II)

//True copy//

Sub Assistant Registrar

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To

1. The Tahsildar,
Cheyyur Taluk,
Cheyyur, Chengalpet District.
2. The Regional Divisional Officer,
Maduranthakam,
Chengalpet District.

+1cc to Mr.G.Baskar, Advocate SR.No.21918

+1cc to Government Pleader SR.No.22706

W.P.No.7461 of 2022

GPL (CO)
GMY (22/04/2022)