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W.P.No.19394 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.10.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.19394 of 2013

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..Petitioner

Vs.

1.The Revenue Divisional Officer,
Thiruppur, Thiruppur District.

2.The Tahsildar,
Thiruppur Taluk,
Thiruppur District.

3.The District Collector,
Thiruppur District,
Thiruppur.

...Respondents

Prayer: Writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to take action on petitioner representation dated 21.03.2013 and the letter of 1st respondent dated 27.05.2013 on merits within a period as specified by this Court.

For Petitioner : Mr.Ma.P.Thangavel

For Respondents : Mr.U.Bharanidharan
Additional Government Pleader



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ORDER

This petition has been filed for issuance of writ of Mandamus to direct the 2nd respondent to take action on petitioner's representation dated 21.03.2013 and the letter of 1st respondent dated 27.05.2013

2. The case of the petitioner is that his father had purchased the land situated in Door No.10, T.S.No.100-3/1, New T.S.No.111 of Murungampalaiyam, Gandhi Nagar (Post), Thiruppur, Thiruppur District and from the date of birth, the petitioner is in possession of the said land. Further on the western side of his property, some extent of poramboke land is available and it was used as road by the local people. While so, one Samiappan tried to encroach upon the said property and illegally got patta, however he has no title over the any land and therefore, aggrieved by the same, the village people have given a letter to the Revenue Divisional Officer and the said official after due enquiry has cancelled the patta. Challenging the proceedings of the Revenue Divisional Officer, the said Samiyappan has filed W.P.No.4454/2002 before this Court and this Court by order dated 19.12.2011, quashed the



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above said proceeding and directed the Tahsildar to issue fresh patta. It is alleged by the petitioner that the 3rd respondent instead of giving patta to the said Samiappan for his encroached land situated in T.S.No.112, he has given patta to T.S.No.111, which belongs to the petitioner. Hence, the petitioner made representation dated 21.03.2013 requesting the respondents to cancel patta no.12835, given to the said Samiyappan and it was forwarded to the Revenue Divisional Officer by letter dated 27.05.2013 for taking action, but till date no proceeding was initiated to cancel the patta, which was wrongly issued to the said Samiappan. Aggrieved by the same, the present writ petition is filed.

3. When the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondents, on instructions, submitted that patta no.12835 was not issued in favour of the said Samiappan and wrong entry was made in the books and undertakes that the same will be deleted within a period of four weeks.

4. In view of the above submission of the learned Additional



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Government Pleader, this Court directs the respondents 1 and 2 to consider the petitioner's representation and delete the wrong entry after issuing notice to the petitioner and any other persons concerned, within a period of four weeks from the date of receipt of a copy of this order.

5. This writ petition is disposed of with the above observations.

No costs. Consequently connected miscellaneous petition is closed.

18.10.2022

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To

1.The Revenue Divisional Officer,
Thiruppur, Thiruppur District.

2.The Tahsildar,
Thiruppur Taluk,
Thiruppur District.

3.The District Collector,
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M.DHANDAPANI.,J.



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