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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4611 of 2022

Nagappa

... Petitioner

Vs.

1. The Revenue Divisional Officer,
   Revenue Divisional Office,
   Hosur - 635 109,
   Krishnagiri District.

2. The Tahsildar,
   Tahsildar Office,
   Denkanikottai Taluk - 635 117,
   Krishnagiri District.

3. Ravi
4. Venkatesan
5. Yuvaraj
6. Tippan

... Respondents

PRAYER: The Writ Petition filed under Section 226 of Constitution of India, pleased to issue a Writ of Mandamus or any other appropriate Writ or order or direction in the nature or writ to direct the 1st respondent to consider the petitioner's representation dated 11.01.2022 for cancellation of Patta issued in the name of the respondents 3 to 6 and to restore the same in its original position for the lands measuring an extent of 1.26.50 Hectares comprised in Survey Nos.274/4, 274/5, 275/1, 275/2 and 275/3 situated at Dharavendiram Village, Denkanikotta Taluk, Krishnagiri District within the time to be stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.T.Chezhiyan,
Additional Government Pleader

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O R D E R

Writ Petition has been filed to direct the 1st respondent to consider the petitioner's representation dated 11.01.2022 for cancellation of Patta issued in the name of the respondents 3 to 6 and to restore the same in its original position for the lands measuring an extent of 1.26.50 Hectares comprised in Survey Nos.274/4, 274/5, 275/1, 275/2 and 275/3 situated at Dharavendiram Village, Denkanikottai Taluk, Krishnagiri District within the time to be stipulated by this Court.

2. Since no adverse order is being passed against the private respondents, notice to respondents 3 to 6 is dispensed with.

3. The case of the petitioner is that he is the owner of the property comprised in Survey Nos.274/4, 274/5, 275/1, 275/2 and 275/3 situated at Dharavendiram Village, Denkanikotta Taluk, Krishnagiri District to the extent of 1.26.50 Hectares. However, while the suit in O.S.No.62 of 2015 for declaration of title, pending before the learned District Munsif Judge, Denkanikottai, without considering the same and without issuing any notice, the 2nd respondent had granted patta in favour of the respondents 3 to 6. Aggrieved by the same, the petitioner made a representation dated 11.01.2022 before the respondents 1 & 2 for cancellation of said patta granted in favour of the respondents 3 to 6. However, till date, the same has not been considered. Hence, the present petition has been filed seeking the aforesaid relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the 1st respondent to consider the petitioner's representation dated 11.01.2022 and dispose of the same in accordance with law within a particular time frame fixed by this Court.

5. The learned Additional Government Pleader appearing for respondents 1 & 2 has no objection to the said order being passed.

6. In view of the aforesaid submissions, this Court, without going into the merits of the case, directs the petitioner to make a fresh representation to the 2nd respondent by impleading the respondents 3 to 6 as parties to the proceedings. On receipt of the same, the 2nd respondent is directed to consider and dispose of the same in accordance with law, after providing an opportunity to the respondents 3 to 6, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

rgi/nhs

To

1. The Revenue Divisional Officer,
   Revenue Divisional Office,
   Hosur – 635 109,
   Krishnagiri District.

2. The Tahsildar,
   Tahsildar Office,
   Denkanikottai Taluk – 635 117,
   Krishnagiri District.

+1cc to Government Pleader SR. No.15078
+1cc to Mr.R.Bharath Kumar, Advocate SR. No.15110

W.P.No.4611 of 2022

PA (CO)
PR (24/03/2022)

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