



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE M. DHANDAPANI

W.P. NO.6788 OF 2022
AND W.M.P.NO.6868 OF 2022

- 1.D.Anantharani
- 2.Jeyanthi
- 3.Vijaya
- 4.Easwaran
- 5.Poongodi

...Petitioners

Vs.

- 1.The District Collector,
The District Collector Office,
Tiruppur District.
- 2.The Revenue Divisional Officer,
The Office of the RDO,
Dharapuram,
Tiruppur District.
- 3.The Tahsildar,
The office of the Tahsildar,
Kangayam,
Tiruppur District.
- 4.The Special Tahsildar,
Adi Dravidar Welfare,
The office of the Tahsildar,
Kangayam,
Tiruppur District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 4th respondent to measure the land in Survey No.307/1A situated at Uppupalayam Village, Vellakovil, Kanagayam Taluk, Tirupur District and to give possession to the petitioners as per the patta allotment given vide proceedings No.LA No 21/90/A dated 02.06.2006 by considering the representation of the petitioner's dated 22.12.2021.



For Petitioners : Mr.N.Stalin

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

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O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the 4th respondent to measure the land in Survey No.307/1A, situated at Uppupalayam Village, Vellakovil, Kanagayam Taluk, Tirupur District and to give possession to the petitioners as per the patta allotment given vide proceedings No.LA No 21/90/A, dated 02.06.2006, by considering the petitioner's representation dated 22.12.2021.

2. The learned Special Government Pleader appearing on behalf of the respondents take notice for the official respondents. In view of the limited relief sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioners is that the petitioners are the free patta holders, they obtained that pattas from the 2nd respondent as per the patta allotment given vide proceedings No.LA No 21/90/A, dated 02.06.2006. After granting Patta, the 4th respondent herein has cancelled the Patta in favour of the first petitioner namely D.Anandha Rani. Challenging the same, the 1st petitioner has filed a Writ Petition in W.P.No.3259 of 2008, this Court by its order dated 26.11.2010, set aside the cancellation order and allowed the Writ Petition and issued direction to the 4th respondent to hold fresh enquiry, if warranted, after giving due notice and due opportunity to the petitioner for being personally heard. However, no order was passed, subsequently, petitioners made a representation to the 3rd and 4th respondents on 22.12.2021 and again on 29.12.2021, to measure the property on 22.12.2021 and again on 29.12.2021. However, till date no orders have been passed. Hence, this writ petition is filed with the above said prayer.

4. The learned counsel for the petitioners submitted that it would suffice if this Court issue a direction to the 3rd respondent to consider the petitioner's representation, dated 29.12.2021, and pass orders within a reasonable time that may be fixed by this Court.

5. The learned Special Government Pleader appearing on behalf of the respondents submitted that the petitioner's representation dated 29.12.2021, will be considered by the respondents, within a reasonable time that may be fixed by this Court.



6. This Court, without going into the merits of the case, directed the 3rd respondent to consider the petitioner's representation dated 29.12.2021, and pass orders on merits and in accordance with law, after providing an opportunity of hearing to the petitioner and to the aggrieved parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

Psa

To

- 1.The District Collector,
The District Collector Office,
Tiruppur District.
- 2.The Revenue Divisional Officer,
The Office of the RDO,
Dharapuram,
Tiruppur District.
- 3.The Tahsildar,
The office of the Tahsildar,
Kangayam,
Tiruppur District.
- 4.The Special Tahsildar,
Adi Dravidar Welfare,
The office of the Tahsildar,
Kangayam,
Tiruppur District.

+1cc to the Government Pleader, Sr.No.20594

W.P.No.6788 of 2022

SJ(CO)
RVM(06/04/2022)