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THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2022

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THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No. 5336 of 2011

1. A.N.Nachimuthu
2. D.Shanthilal

.. Petitioners

Versus

1. The District Collector
Coimbatore.
2. The Revenue Divisional Officer
State Bank of India Main Road
Coimbatore.
3. The Tahsildar
Atirichy Main Road
Sulur Division
Coimbatore-641 018.
4. The Secretary to Government
State of Tamil Nadu
Public Department (Military)
Secretariat
Chennai - 9.
5. The Civil Administration Officer
5 Brd, Air Force Station
Sulur, Coimbatore.
6. The Defence Estates Officer
Government of India
Ministry of Defence
No.306, Anna Salai,
Chennai-600 018

..Respondents

(R6 - Impleaded as per order dated 02.03.2012 by VRSJ in MP.1 of 2012 in WP.No.5336 of 2011)

Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing the respondents to restore the name of the Petitioners in the



Revenue Records pertaining to the S.F. No. 347/1A at Kadampadi Village, Palladam Taluk, Coimbatore.

For Petitioners

: Mrs. P.Bhuvaneswari

For Respondents

: Mr. G.Nanmaran (For R1 to R4)
Special Government Pleader

Mr. Venkatesamy Babu
(For R5 & R6)

ORDER

The petitioner has filed this writ petition seeking to issue a Writ of Mandamus directing the respondents to restore the names of the Petitioners in the Revenue Records pertaining to S.F. No. 347/1A at Kadampadi Village, Palladam Taluk, Coimbatore.

2. The case of the petitioners is that, the First Petitioner is the owner of the land in S.F. No. 347/1-A measuring an extent of 4.99 acres in Kadampadi Village, Palladam Taluk, Coimbatore purchased by him, viz., Nachimuthu, the Second Petitioner, who purchased a part of the land in S.F. No. 347/1-A measuring an extent of 2 acres 26 cents in Kadampadi Village, Palladam Taluk, Coimbatore from one Mr. Somasundaram, Power Agent of the First Petitioner and from the date of their purchase, they are in peaceful possession and enjoyment of their respective lands.

3. However, In view of the land acquisition proceedings of the Respondents, already writ petition has been filed by the Petitioners, which are allowed and subsequently, Writ Appeal also filed, which was set exparte against the Petitioners. In lieu of the exparte order in Writ Appeal, the Respondents mutated the revenue records. Thereafter, the Petitioners preferred a Revision, which was allowed by this Court. In spite of the order passed by this Court and representation dated 10.04.2010 also made by the Petitioner, the respondents are not ready to restore the revenue records. Aggrieved over the same, this Writ Petition is filed seeking writ of Mandamus.

4. The learned Special Government Pleader appearing for the First to Fourth Respondents fairly submitted that though there are proceedings pending before the Courts, the representation of the petitioners will be considered and orders will be passed within the time frame as fixed by this Court.



5. Heard the counsel for the Petitioners and the learned Special Government Pleader for the Respondents and perused the materials placed on record.

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6. Considering the facts and circumstances of the case and considering the positive submission made on either side, this Court hereby directs the concerned Respondents to consider the representation and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

rli

To

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6. The Defence Estate Officer,
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+1cc to the Government Pleader, S.R.No.8683

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PMK (CO)
SU (04/03/2022)