



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.7772 of 2022

P. Kaliyaperumal

... Petitioner

Vs.

1. The District Collector,
Villupuram District,
Villupuram.

2. The Revenue Divisional Officer,
Thirukovilur,
Villupuram District.

3. The Tahsildar,
Kandachipuram Taluk Office,
Villupuram District.

4. S.Sivamurugan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent herein to conduct enquiry and cancel the patta No.473 in respect of survey number 41/21C of an extent of 0.54.5 ares (1.32 acre) situated Keezh Valai Anniyur Village, Kandachipuram Taluk, Villupuram District, by considering the petitioner representation dated 29.07.2019.

For Petitioner : Mr.G. Gajapathi Krishnan

For Respondents : Mr.A.Anandan
Government Advocate

O R D E R

This Writ Petition has been filed directing the 3rd respondent herein to conduct enquiry and cancel the patta No.473 in respect of survey number 41/21C of an extent of 0.54.5 ares (1.32 acre) situated Keezh Valai Anniyur Village, Kandachipuram Taluk, Villupuram District, by considering the petitioner representation dated 29.07.2019.



2. Since, no adverse order is being passed against the 4th respondents notice to the 4th respondent is dispensed with.

3. The case of the petitioner is that the property, comprised in survey No.41/21C to an extent of 0.54.5 ares (1.32 acres) situated at Keezh Valai Anniyur Village, Kandachipuram Taluk, Villupuram District has been owned by the petitioner's father and the petitioner is in possession and enjoyment of the same. The revenue authorities issued patta in favour of the fourth respondent without any valid document. Therefore, the petitioner made a representation before the third respondent to cancel the patta issued in favour of the fourth respondent and issue a patta in his favour. However, the third respondent, till date, did not conduct any enquiry and no order has been passed. Hence, the petitioner has filed the present Writ Petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 3rd respondent/The Tahsildhar to consider the petitioner's representation dated 29.07.2019 and pass orders on the same within a particular time frame to be fixed by this Court.

5. The learned Government Advocate has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the 3rd respondent/The Tahsildhar to consider and dispose of the representation of the petitioner dated 29.07.2019 and pass appropriate orders after affording opportunity to the 4th respondent 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.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Lpp/jd



To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Revenue Divisional Officer,
Thirukovilur,
Villupuram District.
3. The Tahsildar,
Kandachipuram Taluk Office,
Villupuram District.

+1cc to the Government Pleader, S.R.No.22808

W.P. No.7772 of 2022

MT (CO)
SU (27/04/2022)