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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.9768 of 2022  
and  
W.M.P.No.9485 of 2022

R.Pugazhendhi

Vs.

... Petitioner

1. The District Collector,  
District Collectorate,  
Kallakurichi - 606202.
2. The Thasildar,  
Kallakuruchi Taluk,  
Raja Nagar, Kallakurichi,  
Pincode - 606202.
3. The Revenue Divisional Officer,  
District Revenue Office,  
Kallakurichi,  
Pincode - 606202.
4. Nalangilli

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent herein to dispose of the representation dated 02.08.2021, on merits and in accordance with law, within a specified time limit as may be fixed by this Hon'ble Court.

For Petitioner : Mr.B.Divakaran

For R1 to R3 : Mr.M.Murali  
Government Advocate

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the second respondent herein to dispose of the representation dated 02.08.2021, on merits and in accordance with law, within a specified time limit as may be fixed by this Hon'ble Court.



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2. Mr.M.Murali, learned Government Advocate takes notice for the respondents 1 to 3. In view of the limited relief sought for in this petition, on the consent expressed by the Learned counsel appearing for either side, taken up for final disposal. Since no adverse order is passed against the fourth respondent, notice to the fourth respondent is dispensed with.

3. The case of the petitioner is that the petitioner is the owner of the property comprised in S.No.57/3 measuring about 41.50 Ares and S.No.65/2 measuring about 13 Ares, bearing Patta No.202 and Survey No.51/5A1A1 measuring about 24.86 Ares, bearing Patta No.549, situated At Periyamampattu Village, Kallakurichi Taluk, Kallakuruchi District. However, without including the other legal heirs, the fourth respondent included himself and obtained separate patta in his favour. Objecting the same, the petitioner made an application to the second respondent dated 02.08.2021. Though the enquiry was progressed, till date, no order has been passed on the same. Hence, this present petition is filed.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the second respondent to consider the representation of the petitioner dated 02.08.2021 and may pass appropriate orders within the stipulated time as fixed by this Court.

5. The learned Government Advocate appearing for the respondents 1 to 3, would submit that the representation made by the petitioner dated 02.08.2021 will be considered and appropriate orders will be passed on merits within the time frame to be fixed by this court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the second respondent to consider the representation of the petitioner dated 02.08.2021 and after giving an opportunity of hearing to the petitioner, the fourth respondent herein and pass 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 directions, this writ petition stands disposed of. Consequently, connected Miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar



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To

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3. The Revenue Divisional Officer,  
District Revenue Office,  
Kallakurichi,  
Pincode - 606202.

+1cc to Mr.B.Divakaran, Advocate, S.R.No.27890  
+1cc to the Government Pleader, S.R.No.28398

W.P. No.9768 of 2022 and  
W.M.P.No.9485 of 2022

GMR(CO)  
CT 17/05/2022