



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2022

CORAM :

THE HON'BLE MR. JUSTICE R. MAHADEVAN

W.P.No.12038 of 2022

Pachudayampalayam Panchayat,
Represented by its President G.Kumar,
Pachudayampalayam, Rasipuram Taluk,
Namakkal District.

.. Petitioner

Vs

1. The District Collector,
Office of District Collector,
Namakkal.
2. The District Revenue Officer,
Office of District Collector,
Namakkal.
3. The Thasildar,
Thasildar Office,
Rasipuram, Namakkal District.

4.Kannammal

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 1 to 3 to consider the representation of the petitioner dated 02.12.2020 and 21.02.2022 issued by the petitioner to cancel the natham patta issued in favour of the 4th respondent comprised in SF.No.18-199 at Pachudayampalayam Village, Rasipuram Taluk, Namakkal District within a reasonable time as fixed by this Court.

For Petitioner : Mr.R.Nalliyappan

For R1 to R3 : Mrs.Anitha
Special Government Pleader

ORDER

Seeking to issue a writ of mandamus directing the first to third respondents to consider the representations of the petitioner dated 02.12.2020 and 21.02.2022 and to cancel the



natham patta issued in favour of the 4th respondent in respect of the property comprised in SF.No.18-199 at Pachudayampalayam Village, Rasipuram Taluk, Namakkal District, the present writ petition came to be filed.

WEB COPY

2.It is the case of the petitioner that a portion of the property in S.F.No.19-199 O.Pachudayampalayam Village, Rasipuram Taluk, Namakkal District opposite to Mariamman Temple, is a Panchayat Public Road and the petitioner is maintaining the same for public usage. While so, the respondents 1 to 3 have mistakenly issued natham patta in favour of the fourth respondent including the said public road. Under the guise of the same, the fourth respondent is now claiming right over the said panchayat road. On coming to know about the same, the petitioner passed a resolution no.2 dated 02.12.2020 and forwarded the same along with a representation on the same day, requesting to cancel the natham patta issued by the respondents 1 to 3 in favour of the fourth respondent. The said representation was not considered, which compelled the petitioner to make another representation dated 21.02.2022. Even thereafter, no fruitful action has been forthcoming on the side of the official respondents. Therefore, this writ petition.

3.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader taking notice for the respondents 1 to 3.

4.Considering the limited relief sought herein, this court, without going into the merits of the case, directs the second respondent to consider the representations of the petitioner dated 02.12.2020 and 21.02.2022 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the fourth respondent. Such an exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petition is disposed of. No costs.

Sd/-
VACATION OFFICER

//True Copy//

Sub Assistant Registrar

hvk/dm



To

1. The District Collector,
Office of District Collector,
Namakkal.
2. The District Revenue Officer,
Office of District Collector,
Namakkal.
3. The Thasildar,
Thasildar Office,
Rasipuram, Namakkal District.

+1cc to Mr.R.Nalliyappan, Advocate, S.R.No.31150
+1cc to the Government Pleader, S.R.No.31254

W.P.No.12038 of 2022

JPL (CO)
CT 17/05/2022