



W.P.No.15763 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 24.06.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.15763 of 2022 and
W.M.P.No.15029 of 2022

N.Lalitha

...Petitioner

vs.

1. The District Collector,
Perambalur District.
2. The District Revenue Officer,
Old District Collector Office,
Perambalur District,
Pearmbalur.
3. The Revenue Divisional Officer,
Old District Collector Office,
Perambalur District,
Perambalur.
4. The Tahsildar,
Aalathur Taluk Office,
Perambalur District.
5. Marudhapillai
6. Suryaprakasam
7. Manikandan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to



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issue a Writ of Mandamus directing the respondents 1 to 4 to cancel the patta Nos.1634, 1635, 1636 and 1608 bearing survey No.423/8, 423/9, 423/10 and Survey No.410/10 in Therani Village, Aalathur Taluk issued in favour 5 to 7 respondents ancestors, considering the representation made by the petitioner dated 23.03.2022 within a time period as may be fixed by this Hon'ble Court.

For Petitioner : Mr.C.S.Associates

For respondents : Mr.R.P.Murugan Raja
Government Advocate, for R1 to R4

ORDER

This writ petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents 1 to 4 seeking for cancellation of Patta in Patta Nos.1634, 1635, 1636 and 1608 bearing survey No.423/8, 423/9, 423/10 and 410/10 in Therani Village, Aalathur Taluk issued in favour of ancestors of respondents 5 to 7, considering the representation made by the petitioner dated 23.03.2022 within a time period as may be fixed by this Court.

2. Since no adverse order has been passed against the private respondents, notice to them is dispensed with.

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3. It is the case of the petitioner that she is in possession of an extent of 3.5 acres in Therani Village and that the respondents 5 to 7 trespassed into her lands claiming that they are the pattadars and an enquiry by the petitioner revealed that patta stood in the name of the ancestors given under the scheme in which land were given to landless poor, though the said respondents are in possession of vast extent of lands and aggrieved by the same the petitioner submitted a representation to the 1st respondent, which was forwarded to the 3rd respondent to conduct an enquiry and pass orders. In spite of the same, the 3rd respondent having not taken any action, the present petition is filed.

4. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 3rd respondent to conduct enquiry and pass appropriate orders on the letter forwarded by the 1st respondent dated 09.05.2022 on merits within a particular time frame to be fixed by this Court.



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5. The learned Government Advocate appearing for respondents 1 to 4 has no objection for said order being passed.

6. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

7. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the 3rd respondent to take action on the letter forwarded by the 1st respondent dated 09.05.2022, which is based on the representation of the petitioner dated 23.03.2022 and pass appropriate orders, on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as private respondents, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above observations and direction, the Writ Petition is



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disposed of. No costs. Consequently, connected miscellaneous petition is closed.

24.06.2022

RAP

Index : Yes/No

Speaking order : Yes/No

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M.DHANDAPANI, J.



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