



WEB COPY



W.P.No.30679 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.11.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.30679 of 2022

K.Annadurai

... Petitioner

Vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri 636 705.

2.The Revenue Divisional Officer,
Harur, Dharmapuri District.

3.The Tahsildar,
Pappireddipatti Taluk,
Dharmapuri District

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 2nd respondent to consider the petitioner's representation dated 28.09.2021 to set-aside the cancellation circular of Harur, Tahsildar and change the patta from petitioner's father's name to petitioner's name within a reasonable time fixed by this Court.

For Petitioner : Mr.S.Arokiamaniraj

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

This Writ Petition has been filed to direct the 2nd respondent to consider



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the petitioner's representation dated 28.09.2021 to set-aside the cancellation circular of Harur, Tahsildar and change the patta from petitioner's father's name to petitioner's name within a reasonable time fixed by this Court.

2.The case of the petitioner is that the property in S.No.145/1 measuring an extent of 4 Acres, 92 Cents situated in 130, “A” Pallipatti Revenue Village was assigned in favour of the petitioner's father namely Kannan, since, he was economically poor and belonged to Scheduled Caste Community and Patta No.306 was assigned. Thereafter, the petitioner's father died intestate on 17.01.2000 leaving behind the petitioner as his legal heir, since, the petitioner's brother per-deceased his father on 20.03.1987.While so, the Tahsildar, Harur vide his Circular in U.O.C.19427 of 1974 on 12.12.1974 cancelled the patta which stood in the name of the petitioner's father name. Thereafter, the petitioner made a representation dated 28.09.2021 to set-aside the cancellation circular of Harur, Tahsildar and change the patta from petitioner's father's name to petitioner's name. Despite the receipt of the petitioner's request, no action was taken. Hence, the present Writ Petition.

4.Learned counsel for the petitioner submits that it would suffice if this

Court issues direction to the 2nd respondent to consider the petitioner's

<https://www.mhc.tn.gov.in/judis>



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representation dated 28.09.2021 and pass orders on the same within a particular time frame fixed by this Court.

5 .Mr.U.Bharanidharan, the learned Government Advocate appearing for the respondents submits that if any direction is given by this Court, the same will be complied with.

6.In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 1st respondent to consider the reference application submitted by the petitioner by way of representation dated 28.09.2021, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

7.This Writ Petition is accordingly is disposed of. No costs.

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Index : Yes / No
Speaking order : Yes / No
gba

To
1.The District Collector,
Dharmapuri District,

<https://www.mhc.tn.gov.in/judis>



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Dharmapuri – 636 905.

2.The Revenue Divisional Officer,
Harur, Dharmapuri District.

3.The Tahsildar,
Pappireddipatti Taluk, Dharmapuri District.

M.DHANDAPANI, J.

gba

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