



W.P.No.28795 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2022

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.28795 of 2022

R.Selvi

. . . Petitioner

Vs.

1. The District Collector,
O/o. Namakkal Collectorate,
Namakkal District.
2. The Revenue Divisional Officer,
O/o.R.D.O Thiruchengodu,
Namakkal District.
3. The Tahsildar,
O/o.Paramathi Vellore Tahsildar,
Namakkal District.
4. Gomathi,
5. R.Rajkumar,
6. Sarasu,
7. Mohanammal

. . . Respondents



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PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 3 to dispose the representation dated 21.11.2021 and the reminder representation dated 15.09.2022 in accordance with law.

For Petitioners : Mr. D.Bharathy

For Respondents : Mr.U.Baranidharan,
Additional Government Pleader for R1 to R3

ORDER

The present petition has been filed seeking to issue a direction to the respondents 1 to 3 to dispose of the petitioner's representation dated 21.11.2021 and the reminder representation dated 15.09.2022 in accordance with law.

2. Mr.U.Bharanidharan, learned Additional Government Pleader takes notice for respondents 1 to 3.



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3. Since, no adverse order is being passed against the private respondents, notice to the private respondents is dispensed with.

4. It is the case of the petitioner that he is the absolute owner of the subject property of this Writ Petition, by way of a settlement deed, which was executed by his mother on 28.06.2010. Subsequently, the said settlement deed was canceled by his mother at the instigation of the private respondents and thereafter, the petitioner's mother had executed a power of Attorney in favour of one Kandasamy, who, acting as a power agent, had executed a sale deed in favour of the 4th respondent. Since, the 4th respondent was attempting to transfer patta in her favour, the petitioner made an objection petition before the 3rd respondent, without considering the same, the 3rd respondent had transferred Patta in favour of the 4th respondent. Aggrieved by the same, the petitioner made a representation dated 21.11.2021 to the 3rd respondent seeking cancellation of patta granted in respect of the 4th respondent, however, the same was not considered, which resulted in filing of Appeal before the 2nd respondent, pursuant to which, a direction was given to the 3rd respondent to conduct an enquiry. However, till date, the 3rd respondent has



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not conducted any enquiry with regard to the aforesaid and as directed by the 2nd respondent. Therefore, the petitioner made another representation to the 3rd respondent seeking to consider his representation for cancellation of patta. However, till date, no action has been taken on the said representation. Hence, the present petition.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice, if this Court issues a direction to the 3rd respondent to conduct enquiry and pass appropriate orders on the same within the time frame that may be stipulated by this Court.

6. On the above contentions, this Court, heard the learned Additional Government Pleader appearing for Respondents 1 to 3.

7. In view of the limited request made by the learned counsel for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the 3rd Respondent/Tahsildar to conduct the enquiry in the light of the petitioner's representation and the direction of the 2nd respondent and



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pass appropriate orders in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as to the aggrieved persons if any, within a period of twelve weeks from the date of receipt of a copy of this order.

8. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs.

01.11.2022

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Index : Yes / No

Internet : Yes / No



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M.DHANDAPANI, J.

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To

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