



W.P.No.27945 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.27945 of 2022

P. Vallikanthan

...Petitioner

Vs.

1.The Collector,
Kallakurichi District,
Kallakurichi.

2. The District Revenue Officer,
Office of the Collectorate,
Kallakurichi District,
Kallakurichi.

3.The Revenue Divisional Officer,
Kallakurichi District,
Kallakurichi.

4. The Tahsildar,
Chinnasalem Taluk,
Kallakurichi District

5. Paranjothi

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to dispose the appeal filed by the petitioner dated 11.06.2022 and cancel the patta in Patta no.490 of Kural Village, Chinnasalem Taluk, Kallakurichi District and pass orders.



WEB COPY



W.P.No.27945 of 2022

For Petitioner : Mr.V. Elangovan

For Respondents 1-4: Mr.N. Naveen Kumar
Government Advocate

ORDER

The petitioner has filed this writ petition directing the first respondent to dispose the appeal filed by the petitioner dated 11.06.2022 and cancel the patta in Patta no.490 of Kural Village, Chinnasalem Taluk, Kallakurichi District

2. The learned Government Advocate takes notice for the official respondent. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. Since no adverse orders is passed against the 5th respondent notice to 5th respondent dispensed with.

4. The learned counsel for the petitioner submitted that the subject property is classified as Tharisu land and the said area is used by the general public. Whilso one Vaiyapuri and Rajendran by producing fraudulent



W.P.No.27945 of 2022

documents obtained patta in their names. After the demise of Vaiyapuri and Rajendran the legal heirs transferred the patta in their name and thereby encroaching the Government property. Hence the petitioner preferred an appeal before the first respondent on 11.06.2022 to cancel the patta. However, the same was not considered. Hence, this writ petition is filed with the aforesaid prayer.

5. The learned counsel appearing for the petitioner submitted that the it would suffice, if this Court issues direction to the first respondent to dispose of the petitioner's appeal dated 11.06.2022 within a reasonable time fixed by this Court.

6. The learned Government Advocate appearing on behalf of the official respondents submitted that the orders will be passed in the appeal filed by the petitioner as early as possible.

7. Considering the limited request made by the petitioners, this Court is inclined to direct the first respondent to dispose of the appeal filed by the petitioners on 11.06.2022 within a period of twelve weeks from the date of



W.P.No.27945 of 2022

receipt of a copy of this order after affording an opportunity of hearing to the petitioners as well as counter parties if any.

8. With the above terms, these writ petitions are disposed of. No costs.

19.10.2022

Speaking Order : Yes/ No
Index : Yes/ No

smn

To

1.The Tahsildar,
O/o. The Tahsildar,
Krishnagiri Taluk, Krishnagiri District.

2.The Taluk Surveyor,
O/o the Survey Section,
Krishnagirri Taluk,
Krishnagiri District.

M.DHANDAPANIJ.

4/5



WEB COPY



W.P.No.27945 of 2022

smn

W.P.No.27945 of 2022

19.10.2022