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W.P.No.29432 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29432 of 2022

Kasthuri

... Petitioner

Vs.

1.The District Collector,
Kallakurichi District.

2.The Revenue Divisional Officer,
Kallakurichi.

3.The Tahsildar,
Kallakurichi Taluk,
Kallakurichi.

4.Muthuvel

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 28.03.2022 to cancel the bogus patta No.573 created with respect to the petitioner's property.

For Petitioner : Mr.S.N.Subramani

For Respondents : Mr.U.Bharanidharan for RR1 to 3



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Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus, to direct the the respondents 1 to 3 to consider the petitioner's representation dated 28.03.2022 to cancel the bogus Patta No.573 created with respect to the petitioner's property.

2.Since no adverse order is being passed as against the 4th respondent, notice to the 4th respondent is dispensed with.

3.The case of the petitioner is that the petitioner is the owner of the property in S.No.11/28, admeasuring about 0.3 Ares situated at Vadapoondi Village, Kallakurichi Taluk and Patta No.324 was also issued in favour of the petitioner. While so, one Dhanalakshmi who is Village Assistant and her husband/ 4th respondent colluded and created forged documents with respect to the petitioner's above said property and obtained Patta No.573. On gaining knowledge about the same, the petitioner appealed to 2nd respondent on 28.03.2022 for cancellation of the patta standing in the name of the 4th



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respondent, in terms of Section 10 of the Tamil Nadu Patta and Pass Book Act. Thereby, the 2nd and 1st respondents has forwarded the complaint for enquiry to the 3rd respondent. As the said representation made by the petitioner has evoked no response, the petitioner has filed this present Writ Petition.

4.The learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents 1 to 3 to consider the petitioner representation dated 28.03.2022 and pass orders on the same within a particular time frame fixed by this Court.

5.Mr.U.Bharanidharan, the learned Additional Government Pleader for the respondents 1 to 3 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 respondents to consider the petitioner's representation dated 28.03.2022, on merits and in accordance with law after providing opportunity to the petitioner and the private



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respondent 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.

08.11.2022

gba
Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

1. The District Collector,
Kallakurichi District.
- 2.The Revenue Divisional Officer,
Kallakurichi.
- 3.The Tahsildar,
Kallakurichi Taluk,
Kallakurichi.



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M.DHANDAPANI,J.

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