



W.P.No.29143 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.11.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

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P. Rajendiran

.. Petitioner

Vs.

1. The District Collector,
Cuddalore District.
2. The District Revenue Officer,
Cuddalore District.
3. The Revenue Divisional Officer,
Tittakudi Revenue Division,
Cuddalore District
4. The Thasildhar, Taluk Office,
Tittakudi, Cuddalore District.
5. Dhanalakshmi

..Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents 1 and 2 to conduct property enquiry and dispose of petitioner's representation dated 07.07.2015 and pass orders.

For Petitioner : Mr.S. Mohan

For Respondents 1 to 4 : Mr. U. Baranidharan
Additional Government Pleader

ORDER

This writ petition is filed to dispose of petitioner's representation dated 07.07.2015.

2. The case of the petitioner is that the petitioner is in possession and enjoyment of the subject land and the 5th respondent land is adjacent to the petitioner's land. Whiles, the 5th respondent fraudulently obtained patta in respect of the petitioner's property. Aggrieved over the same, the petitioner preferred appeal before the respondents 1 and 2 to cancel the patta. Pursuant to which the 2nd respondent initiated proceedings on the said appeal and summoned the petitioner and the fifth respondent to appear for an enquiry. Thereafter no action was taken. Hence this writ petitioner



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with the afore said prayer.

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3. Since no adverse order is passed against the fifth respondent notice to fifth respondent dispensed with.

4. The learned counsel for the petitioner submits that the fifth respondent also filed a in O.S.No.209 of 2015 before the District Munsif Cum Judicial Magistrate, Thittakudi and the same was dismissed and the petitioner informed the dismissal of the suit to the official respondents. Hence prays this Court for appropriate orders.

5. The learned Additional Government Pleader submits that the petitioner has gave a representation to the first and second respondents to cancel the patta, but the 4th respondent is the competent authority to decide the issue.

6. Heard both sides and perused the materials available on record.

7. In view of the above, this Court directs the petitioner to file an



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application before the 4th respondent within a period of four weeks from the date of receipt of a copy of this order and the 4th respondent is directed to consider the petitioner's application in terms of Section 10 of Patta Pass Book Act, 1983 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of filing of the application after providing an opportunity of hearing the petitioner as well as the fifth respondent.

8. With the above terms, this present writ petition is disposed of. No costs.

04.11.2022

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

To

1. The District Collector,
Cuddalore District.
2. The District Revenue Officer,
Cuddalore District.
3. The Revenue Divisional Officer,



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Tittakudi Revenue Division,
Cuddalore District.
4. The Thasildhar, Taluk Office,
Tittakudi, Cuddalore District.

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M.DHANDAPANI,J.

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