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W.P.No.32767 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.32767 of 2022

1.Sivakumar
2.Selvaraj

.... Petitioners

-Vs-

1.The Revenue Divisional Officer
Anna Salai, Tindivanam Road
Tiruvannamalai – 606 601.

2.Tahsildar
Anna Salai, Tindivanam Road
Tiruvannamalai – 606 601.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 18.05.2022 and issue patta in favour of the petitioners.

For Petitioner : Mr.K.Venkatasubban
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The prayer sought for herein is for a Writ of Mandamus Mandamus to direct the respondents to consider the petitioner's representation dated 18.05.2022 and issue patta in favour of the petitioners.



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2. In respect of the land to the extent of 1.15 acres in S.No.56/3, 3.22 acres of land in S.No.55/2 and 8.41 acres in S.No.56/1 and in total measuring an extent of 12.78 Acres in Kosalai Village, Tiruvannamalai District, patta has been issued in favour of the petitioners' sister and mother, who seem to have sold the property in question to some third parties. Therefore, in order to cancel the patta issued by the Tahsildar in favour of the petitioners' sister and mother by impleading them as well as the third parties in whose favour the subsequent third party right had been created, the petitioners preferred appeal under the Patta Passbook Act to the first respondent / Revenue Divisional Officer on 18.05.2022. However, the said appeal since has not been considered, in order to consider the same and to pass orders, the petitioners have moved the present writ petition.

3. Heard the learned counsel for the petitioner and Mr.Yogesh Kannadasan learned Special Government Pleader for the respondents.

4. Learned Special Government Pleader submits that, if the appeal filed by the petitioners dated 18.05.2022 is still pending before the Revenue Divisional Officer, certainly that would be considered and disposed of after giving notice to all the parties.



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5. In that view of the matter, taking into consideration the stand taken by the learned Special Government Pleader this Court is inclined to dispose of this writ petition with the following order.

“ That there shall be a direction to the first respondent / Revenue Divisional Officer to decide the appeal filed by the petitioners dated 18.05.2022 after giving notice to both the petitioners as well as the respondents therein, who are not respondents in this writ petition, within a period of eight weeks from the date of receipt of a copy of this order.”

6. With the above directions, this writ petition is disposed of. No costs.

06.12.2022

KST

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To

1.The Revenue Divisional Officer
Anna Salai, Tindivanam Road
Tiruvannamalai – 606 601.

2.Tahsildar
Anna Salai, Tindivanam Road
Tiruvannamalai – 606 601.



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R. SURESH KUMAR, J.

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