



W.P.No.32659 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.32659 of 2022

K.Elumalai

.... Petitioner

-Vs-

1.The District Collector
Chengalpattu District
Chengalpattu.

2.Revenue Divisional Officer
Chengalpattu Revenue Division
Chengalpattu.

3.Parimala Ammal

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 09.09.2022 to cancel the patta issued in favour of the 3rd respondent in Keezhur Village in Survey No.143/2 and thereby grant patta in favour of the petitioner.

For Petitioner : Mr.S.Gowsik Sundar

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader – for RR 1 & 2



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ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 09.09.2022 to cancel the patta issued in favour of the 3rd respondent in Keezhur Village in Survey No.143/2 and thereby grant patta in favour of the petitioner.

2. In respect of the property at S.No.143/2, Keezhur Village, Thiruporur Taluk, Chengalpattu District, patta has been issued in Patta No.143 in favour of the 3rd respondent. However, it is the case of the petitioner that, the lands belongs to the petitioner. Therefore, in order to cancel the patta wrongly given in favour of the 3rd respondent, he has preferred an appeal on 09.09.2022 to the second respondent, who is the appellate authority under Section 12 of the Patta Passbook Act and in order to consider the same and decide the said appeal within a time frame, the petitioner seeks the indulgence of this Court through the present writ petition.

3. Heard the learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for the respondents 1 and 2.



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4. Learned Special Government Pleader would submit that if the said appeal filed by the petitioner dated 09.09.2022 has so far not been considered and decided, the same would certainly be considered within the time frame stipulated by this Court.

5. Considering the limited scope of the prayer sought for in this writ petition and after having the heard the learned counsel for both sides, this Court is inclined to dispose of this writ petition with the following order.

“ That there shall be a direction to the second respondent to consider the appeal filed by the petitioner dated 09.09.2022 and pass orders thereon on merits and in accordance with law after hearing both the petitioner as well as the 3rd respondent, within a period of six 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.

05.12.2022

Index : Yes/No
Internet : Yes/No
KST



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R. SURESH KUMAR, J.

KST

To

- 1.The District Collector
Chengalpattu District
Chengalpattu.
- 2.Revenue Divisional Officer
Chengalpattu Revenue Division
Chengalpattu.

W.P.No. 32659 of 2022

05.12.2022