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W.P.No.19729 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2022

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

W.P.No.19729 of 2017

L.Narayanappa

...Petitioner

Vs.

1. The District Collector,
Krishnagiri District,
Krishnagiri.
2. The District Revenue Officer,
Krishnagiri District,
Krishnagiri.
3. The Tahsildar,
Denkanikkottai Taluk,
Krishnagiri District.
4. Jayaraman
5. Krishnan
6. Ramamurthy
7. Janarthanan
8. Govindappan
9. Kuppammal

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1 to 3 respondents to point out field boundary line in Patta No.17 stands in the name of petitioner's mother Anumamma in S.No.1464/4A, measuring to an extent of 0.10 Are, situated at No.10, Sandhanappali Village, Denkanikottai Taluk, Krishnagiri District



W.P.No.19729 of 2017

and also cancel the all others Patta granted by 3rd respondent in petitioner's land.

For Petitioner : Mr.M.P.Saravanan

For Respondents : Mr.R.Vigneswaran, GA, for R1 to R3.

ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the respondents 1 to 3 to consider the petitioner's representation dated 25.07.2017, fix the boundary line in petitioner's property and a consequential direction to cancel the all others Patta granted by 3rd respondent in respect of the petitioner's land.

2. The case of the petitioner is that the petitioner's father namely, Linge Gowda, purchased the property measuring an extent of 10 Ares comprised in S.No.1464/4A, situated at Sandhanappali Village, Denkanikottai Taluk, Krishnagiri District from one Ahmed Sherif Saibu and two others, vide, registered Sale deed Doc.No.1203/1959 dated 25.05.1959. Pursuant to the said purchase, the petitioner's family is in possession and enjoyment of said property and patta and chitta in respect of the subject property were also issued in the name of the petitioner's mother namely,



W.P.No.19729 of 2017

Anummakka @ Anumamma. While such being the case, the petitioner came to know that, after the UDR scheme came into force, pattas in respect of the subject property were wrongly granted in favour of the respondents 4 to 9, for a certain extent. Immediately thereafter, the petitioner made a representation dated 25.07.2017 before the respondents 1 to 3, requesting to mark the boundary line for the subject land and to consequently cancel the other pattas granted in respect of the subject property. However, till date, no orders have been passed on the said representation. Hence, the present Writ petition is filed.

3. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents 1 to 3 to consider the petitioner's representation dated 25.07.2017, point out the boundary line in the subject land and consequently cancel the other pattas granted in favour of other persons in respect of the subject property.

4. Learned Government Advocate appearing on behalf of the respondents 1 to 3 has no serious objection for the said order being passed



W.P.No.19729 of 2017

and he fairly conceded that the petitioner's representation dated 25.07.2017 will be considered and appropriate orders will be passed within the time stipulated by this Court.

5. In view of the above submissions, this Court without expressing any opinion on the merits of the case issues direction to the 3rd respondent to consider the petitioner's representation dated 25.07.2017 on merits and pass appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioners as well as the private respondents.

6. This writ petition is accordingly disposed of. No costs.

28.06.2022

skt

Speaking Order : Yes/ No

Index : Yes/ No

To

1. The District Collector,
Krishnagiri District,
Krishnagiri.

4/6



W.P.No.19729 of 2017

WEB COPY

2. The District Revenue Officer,
Krishnagiri District,
Krishnagiri.
3. The Tahsildar,
Denkanikkottai Taluk,
Krishnagiri District.

M.DHANDAPANI,J.

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W.P.No.19729 of 2017



WEB COPY



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