



W.P.(MD)No.24671 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P(MD)No.24671 of 2022

Arumugam

... Petitioner

Vs.

1.The District Collector,
Trichirappalli District.

2.The Revenue Divisional Officer,
Srirangam,
Trichirappalli District.

3.The Tahsildar,
Manapparai Taluk,
Trichirappalli District.

4.Vellaisamy

5.Gurumoorthy

6.Karthi

7.Kalaivani

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the 1st respondent to cancel the patta bearing No.657 which was issued to the 4th



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respondent for the property comprised in Survey No.475/4 in V.Periyapatti Village, Manapparai Taluk, Trichy District based on the representation submitted to the 2nd respondent by the villagers of V.Periyapatti village dated 21.09.2022.

For Petitioner : Mr.V.Sasikumar

For Respondents 1 to 3 : Mr.P.Thilak Kumar
Government Pleader

* * *

ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a writ of mandamus, directing the 1st respondent to cancel the patta bearing No.657, which was issued to the 4th respondent for the property comprised in Survey No.475/4 in V.Periyapatti Village, Manapparai Taluk, Trichy District based on the representation submitted to the 2nd respondent by the villagers of V.Periyapatti village dated 21.09.2022.

2. Heard Mr.V.Sasikumar, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondent 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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3. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 4 to 7 is dispensed with.

4. Claiming that the property comprised in Old Survey No.275/3, New Survey No.475/4 of V.Periyapatti Village, Manapparai Taluk, Trichy District, is a Natham Poramboke land, which is being used to bring the dead bodies by the villagers to reach the cremation ground, and the 4th respondent has obtained a patta in respect of the said property and executed a Settlement Deed in favour of his sons and daughters who are respondents 5 to 7, the villagers of V.Periyapatti Village submitted a representation to the 2nd respondent on 21.09.2022, and the same, according to the learned counsel for the petitioner, remains as such. Hence, the Writ Petition.

5. Learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief, he would be satisfied, if a direction is issued to the 2nd respondent to dispose of the representation dated 21.09.2022, submitted by the villagers of V.Periyapatti Village, within a time frame.



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6. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, either in the representation or in the affidavit filed in support of the Writ Petition, this Writ Petition is disposed of with a direction to the 2nd respondent to consider the representation dated 21.09.2022, submitted by the villagers of V.Periyapatti Village and pass appropriate orders on merits and in accordance with law. Such an exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]
31.10.2022

Internet : Yes / No

Index : Yes / No

sj

To

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