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W.P. No.1821 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2023

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.1821 of 2023

Santhosh Kumar Singh

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Hosur – 635 109.
Krishnagiri District.

2.The Tahsildar,
Dhenkanikottai Taluk,
Dhenkanikottai,
Krishnagiri District,
Pincode – 635 107.

3.Krishnappa

4.Vishal Shahal

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 1st respondent herein to dispose of the petitioner's appeal dated 23.05.2022 filed for cancelling the patta issued in the name of the 4th respondent herein and to issue the patta in his name pertaining to the lands measuring 0.25 cents in S.F.No.331/2B situated at Thavarakarai Village, Dhenkanikottai Taluk, Krishnagiri District.



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For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.R.P.Muruganraja
Government Advocate

ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent herein to dispose of the petitioner's appeal dated 23.05.2022 filed for cancelling the patta issued in the name of the 4th respondent herein and to issue the patta in his name pertaining to the lands measuring 0.25 cents in S.F.No.331/2B situated at Thavarakarai Village, Dhenkanikottai Taluk, Krishnagiri District.

2. In respect of the land at S.F.No.331/2B situated at Thavarakarai Village, Dhenkanikottai Taluk, Krishnagiri District, patta has been wrongly given in the name of the 4th respondent, according to the petitioner, therefore in order to cancel the same, the petitioner preferred appeal on 23.05.2022 to the 1st respondent Revenue Divisional Officer. In order to consider the said appeal and decide the same on merits and in accordance with law within a time frame that may be stipulated by this Court, the petitioner seeks indulgence of this Court by filing the present writ petition.

3. Heard Mr.K.Govi Ganesan, learned counsel appearing for the



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petitioner and Mr.R.P.Muruganraja, learned Government Advocate appearing for the respondents 1 and 2. In view of the order going to be passed in this writ petition, notice to the respondents 3 and 4 is hereby dispensed with.

4. The learned Government Advocate for the respondents 1 and 2 would submit that, the said appeal filed by the petitioner to the 1st respondent would be considered and decided on merits after giving notice to both the petitioner as well as the private respondents within a time frame.

5. Considering the said submission made by the learned Government Advocate for the respondents and taking note of the innocuous nature of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following orders:

There shall be a direction to the 1st respondent to decide the appeal dated 23.05.2022 filed by the petitioner against the issuance of patta in the name of the 3rd respondent originally subsequently in the name of the 4th respondent and pass necessary orders thereon on merits and



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in accordance with law of course after giving an opportunity of being heard to both the petitioner as well as the private respondents 3 and 4 within a period of eight weeks from the date of receipt of a copy of this order.

6. With this direction, this Writ Petition is disposed of. No costs.

25.01.2023

Index : Yes / No

Speaking Order : Yes / No

Sgl

To

1.The Revenue Divisional Officer,
Hosur – 635 109.
Krishnagiri District.

2.The Tahsildar,
Dhenkanikottai Taluk,
Dhenkanikottai,
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R.SURESH KUMAR, J.

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