



WEB COPY



W.P.No.3997 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.3997 of 2023

Chinnathambi

.. Petitioner

vs

1. The Revenue Divisional Officer
Mettur Taluk, Salem District.

2. The Tahsildar
Mettur Taluk, Salem District.

3. Singaram

4. Kannan

.. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the first respondent to cancel the patta bearing the number 732 on the file of the second respondent in survey No.227/2A to an extent of 0.5 ares, at Pottaneri Village, Mettur Taluk, Salem District stands in the name of the third and fourth respondent, in pursuance of the petitioner's representation dated 08.12.2022.

For Petitioner : Ms.S.Sadhana
for Mr.C.Deepakkumar

For Respondents 1 & 2 : Mrs.Akila Rajendran
Government Advocate

For respondents 3 & 4
notice dispensed with



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ORDER

The prayer sought for herein is for a Writ of Mandamus, to direct the first respondent to cancel the patta bearing the No.732 on the file of the second respondent in Survey No.227/2A to an extent of 0.5 ares, at Pottaneri Village, Mettur Taluk, Salem District, which stands in the name of the third and fourth respondent, in pursuance of the petitioner's representation dated 08.12.2022.

2. As against the order passed by the second respondent / Tahsildar, who issued patta in Patta No.732 in respect of property in Survey No.2227/2A, the petitioner preferred an appeal under Section 12 of the Patta Passbook Act on 08.12.2022. In order to decide the said appeal and pass orders, of course after hearing both sides, the petitioner has moved the present writ petition.

3. Heard Ms.S.Sadhana, learned counsel appearing for the petitioner and Mrs.Akila Rajendran, learned Government Advocate appearing on behalf of the respondents 1 and 2. In view of the order going to be passed in this writ petition, notice to respondents 3 and 4 is dispensed with.



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4. Considering the innocuous nature of the prayer sought for herein, this

Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the first respondent to consider the appeal filed by the petitioner dated 08.12.2022 and pass orders thereon, on merits, of course after hearing both the petitioner as well as the private respondents herein, within a period of eight weeks from the date of receipt of a copy of this order.

5. With these directions, the writ petition is disposed of. There will be no order as to costs.

Index: Yes/No

10.02.2023

Neutral Citation :Yes/No
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To

1. The Revenue Divisional Officer
Mettur Taluk, Salem District.
2. The Tahsildar
Mettur Taluk, Salem District.



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R. SURESH KUMAR, J.

(drm)

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