



Writ Petition No.6113 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.6113 of 2023

C.Kumar,
S/o.Chandran

... Petitioner

-Vs-

1. The District Revenue Officer,
Kallakurichi District.
2. The Revenue Divisional Officer,
Kallakurichi District.
3. The Tahsildar,
Kallakurichi Taluk Office,
Kallakurichi District.
4. S.Annamalai

... Respondents

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 08.11.2022, 08.12.2022 consequently direct the respondents to rectify the defects and issue patta in favour of petitioner with respect to the property bearing S.No.56/2D in Siruvankoor Village, Kallakurichi District Taluk & District.



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For Petitioner : Mr.S.N.Subramani
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader [R1
to R3]

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents to consider the petitioner's representation dated 08.11.2022, 08.12.2022 and consequently direct the respondents to rectify the defects and issue patta in favour of petitioner with respect to the property bearing S.No.56/2D in Siruvankoor Village, Kallakurichi District Taluk & District.

2. In respect of property at S.No.56/2D at Siruvankoor Village, Kallakurichi District Taluk & District, it is a claim of the petitioner that the property belongs to the petitioner's father one Chandran. However, during UDR survey, the patta has been wrongly given to some third parties, therefore, in order to rectify the same, the petitioner's father had given a complaint or representation, which was enquired by the District Revenue Officer and an order was passed on 31.10.2016, under the said order, direction was given to the Revenue officials i.e., Revenue Divisional Officer concerned to rectify the same and issue patta in the



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name of the petitioner's father, despite that no orders have been passed by the Revenue Divisional Officer.

3. Subsequently petitioner's father died in 2021, the petitioner since inherited the property had made representations to the respondents on 08.11.2022 and 08.12.2022 to implement the order dated 31.10.2016 passed by the first respondent. However, so far no action has been taken by the second respondent on the said representations given by the petitioner, hence, in order to consider the same, the petitioner has moved the present writ petition with the aforesaid prayer.

4. Heard Mr.S.N.Subramani, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents 1 to 3.

5. In view of the order going to be passed in this writ petition notice to the fourth respondent is hereby dispensed with.

6. Learned Special Government Pleader appearing for the official



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respondents would submit that, in view of the order passed by the first respondent dated 31.10.2016 and if it is become final, then there could be no impediment for the second respondent to implement the said order. Therefore, in this regard after verifying the same, the representations submitted by the petitioner would be considered and necessary orders to that effect would be passed by the second respondent within a time frame that may be stipulated by this Court.

7. Considering the said submission made by the learned Special Government Pleader appearing for the official respondents, this Court directs the second respondent to consider the representations given by the petitioner dated 08.11.2022 and 08.12.2022 and after giving an opportunity of being heard to both the petitioner as well as the fourth respondent in order to ascertain whether the fourth respondent has preferred any further appeal or proceedings against the order dated 31.10.2016 passed by the first respondent and after ascertaining the same, needful action shall be undertaken by the second respondent on the representations given by the petitioner and order shall be passed thereon on merits and in accordance with law within a period of six(6) weeks



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from the date of receipt of a copy of this order.

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With this direction, this writ petition is disposed of. No costs.

01.03.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
mp

To

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Kallakurichi District.
2. The Revenue Divisional Officer,
Kallakurichi District.
3. The Tahsildar,
Kallakurichi Taluk Office,
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R. SURESH KUMAR, J.

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