



W.P.No.9908 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.9908 of 2017

and

W.M.P.No.10910 of 2017

1. S.Ganapathy

2. G.Balambal

... Petitioners

Vs.

1. The District Collector,
Villupuram District, Villupuram.

2. The District Revenue Officer,
Villupuram District.

3. The Revenue Divisional Officer,
Kallakurichi Taluk, Villupuram District.

4. The Thasildar,
Kallakurichi Taluk, Villupuram District.

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, calling for the records and quash the impugned order in B3/20367/15 dated 8.11.2016 passed by the 2nd respondent herein and also to issue a mandamus directing the



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respondents 1 to 3 herein to pass appropriate orders on the representation of the petitioners herein dated 27.02.2017 within a stipulated time.

For Petitioner : Mr.S.Sarath Kumar for
M/s.M.Balasubramanian
For Respondents :
(for R1 to R4) : Mr.D.Ravichander
Special Government Pleader

ORDER

The order passed by the District Revenue Officer, Villupuram, in proceeding dated 8.11.2016 is sought to be quashed in the present writ petition.

2. The grievances of the writ petitioner is that based on the erroneous grants of joint patta, the land belonging to the petitioner has got reduced and the authorities have failed to conduct survey in respect of the land belonging to the petitioner before granting patta in favour of other third parties. In other words, the patta granted in favour of some third parties resulted in infringement of the rights of the petitioner to enjoy his own property. Though, the District Revenue Officer conducted an enquiry, he failed to survey the land with reference to the documents in possession of the petitioner to establish his title, thus, the petitioner is constrained to



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move the present writ petition.

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3. In view of the facts and circumstances, the respondents 2 and 3 are directed to conduct the survey in respect of the land belonging to the petitioner by verifying the revenue records as well as the documents to be produced by the petitioner and take a decision appropriately. The said exercise is directed to be done by affording opportunity to all the parties. Final order is to be passed within a period of twelve (12) weeks from the date of receipt of a copy of this order. The petitioner is permitted to submit a fresh representation along with the documents, if any, to the respondents two and three within a period of two weeks.

7. With these directions, the writ petition stands **disposed of**. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

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S.M.SUBRAMANIAM. J.,

(sha)

To

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2. The District Revenue Officer,
Villupuram District.
3. The Revenue Divisional Officer,
Kallakurichi Taluk, Villupuram District.
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