



WEB COPY



W.P.No.6425 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.6425 of 2023

Chinnamuniyappa

... Petitioner

Vs

1.The Revenue Divisional Officer,  
Office of Sub Registrar,  
Hosur – 635 109,  
Krishnagiri District.

2.The Tahsildar,  
Hosur, Krishnagiri District.

3.M.Ravichandiran

... Respondents

**Prayer :** Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1<sup>st</sup> respondent to consider the appeal submitted on 28.11.2022 preferred for cancellation of patta No.2060 which was erroneously issued by the 2<sup>nd</sup> respondent in favour of the 3<sup>rd</sup> respondent in respect of petitioner's property comprised in S.No.332/1B measuring an extent of 13 cents, situated at Aalur Village, Hosur Taluk, Krishnagiri District.

For Petitioner : Mr.M.Mohamed Riyaz

For Respondents : Mr.P.Sathish  
Additional Government Pleader  
for R1 and R2



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## **ORDER**

The prayer sought for herein is for a writ of mandamus directing the 1<sup>st</sup> respondent to consider the appeal submitted on 28.11.2022 preferred for cancellation of patta No.2060 which was erroneously issued by the 2<sup>nd</sup> respondent in favour of the 3<sup>rd</sup> respondent in respect of petitioner's property comprised in S.No.332/1B measuring an extent of 13 cents, situated at Aalur Village, Hosur Taluk, Krishnagiri District.

2. As against the order passed by the 2<sup>nd</sup> respondent Tahsildar granting patta in favour of the 3<sup>rd</sup> respondent, the petitioner preferred appeal under the provisions of the Patta Passbook Act to the 1<sup>st</sup> respondent Revenue Divisional Officer on 28.11.2022 in respect of property at Survey No.332/1B situated at Aalur Village, Hosur Taluk, Krishnagiri District, therefore in order to consider the said appeal and decide the same on merits and in accordance with law within a time frame, the petitioner has moved the present writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2. In view of the order going to be passed in this writ petition, notice to the



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3<sup>rd</sup> respondent is hereby dispensed with.

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4. The learned Additional Government Pleader for respondents 1 and 2 would submit that the said appeal filed and it is pending before the 1<sup>st</sup> respondent would be considered and decided on merits and in accordance with law of course after giving an opportunity of being heard to both petitioner as well as the 3<sup>rd</sup> respondent within a time frame.

5. Considering the said submission made by the learned Additional Government Pleader for the official respondents, this Court is inclined to give a direction to the 1<sup>st</sup> respondent to consider the appeal filed by the petitioner dated 28.11.2022 and decide the same after giving an opportunity of being heard to both petitioner as well as the 3<sup>rd</sup> respondent 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.

03.03.2023

Index : Yes / No  
Speaking Order : Yes / No  
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R.SURESH KUMAR, J.

Sgl

To

1.The Revenue Divisional Officer,  
Office of Sub Registrar,  
Hosur – 635 109,  
Krishnagiri District.

2.The Tahsildar,  
Hosur, Krishnagiri District.

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