



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.29433 of 2023

Yasodha

... Petitioner

Vs.

1. The Tahsildar
Mettur Dam

2. The Revenue Inspector
Mettur Dam

3. The Village Administrative Officer
Konur West Village
Mettur Dam

4. Mrs.Rajammal

5. Mrs.Selvi

6. Mr.Umasankar

7. Mr.Prasathkannan

8. Mr.Easwaran

9. Mr.Sadasivam

10.Mr.Vijayan

11.Mr.Ashokan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 27.07.2023 by cancelling Patta No.1160 issued in favour of R.Seenivasan in respect of the land measuring an extent of 50 cents situate in Survey No.678/1, Konur Village West, Mettur Taluk, Salem District.



For Petitioner : Mr.P.Valliappan, Senior Counsel
for PV Law Associates

For Respondents : Mr.P.Gurunathan
Additional Government Pleader
for R1 to R3
R4, R9 and R11-No Appearance
R5 to R7-Unclaimed
R8 and R10 - deceased

ORDER

This Writ Petition is filed for a writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 27.07.2023 by cancelling Patta No.1160 issued in favour of R.Seenivasan in respect of the land measuring an extent of 50 cents situate in Survey No.678/1, Konur Village West, Mettur Taluk, Salem District.

2. Though notice was taken to the respondents, only some of the respondents were served and some of the respondents have already died and that the writ petition cannot be filed against the dead persons.



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3. However, since it is only a simply mandamus to direct the official respondents to consider the petitioner's representation, this Court taking into consideration of the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, directs the respondents 1 to 3 to consider the petitioner's representation dated 27.07.2023 and conduct enquiry and pass orders on merits and in accordance with law, after giving notice and giving opportunity of hearing to the petitioner, private respondents, legal heirs of the deceased respondents and all the interested parties/rival claimants if any, within a period of three months from the date of receipt of a copy of this order.

4. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

07.11.2023

ksa-2

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

1. The Tahsildar
Mettur Dam

2. The Revenue Inspector
Mettur Dam

3. The Village Administrative Officer
Konur West Village
Mettur Dam

W.P. No.29433 of 20



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W.P. No.29433 of 2023



P.VELMURUGAN. J.

ksa-2

W.P. No.29433 of 2023

07.11.2023