



WEB COPY

W.P. No.30347 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.30347 of 2023 and
W.M.P. No.29930 of 2023

K.Selvagandhi

... Petitioner

Vs.

1. The Collector
Cuddalore District
Cuddalore

2. The Tahsildar
Shrimushnam Taluk
Cuddalore District

3. J.Vetriselvam

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue writ of Mandamus directing the 1st respondent to consider the representation dated 14.08.2023 and pass appropriate order within a time line specified by this Court after affording sufficient opportunity of hearing to the petitioner.

For Petitioner : Mr.R.Udhaya Kumar

For Respondents : Mr.V.Veluchamy
Additional Government Pleader for
R1 and R2



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ORDER

This Writ Petition is filed for a Writ of Mandamus directing the 1st respondent to consider the representation dated 14.08.2023 and pass appropriate orders within a time line specified by this Court after affording sufficient opportunity of hearing to the petitioner.

2. The contention of the petitioner is that on 07.02.2018, he had given a representation to the 2nd respondent to grant Patta for the lands in S.No.192/10 as he was in possession over the same for more than 50 years. However, during the absence of the petitioner, the 2nd respondent has granted Patta to the 3rd respondent who is in no way connected to the lands based on which, the 3rd respondent is harassing the petitioner by driving out their livestock, demolishing their hut and filling the land with sand. Hence, the petitioner made a representation dated 14.08.2023 to the 1st respondent to cancel the Patta issued to the 3rd respondent and to direct the 2nd respondent to take appropriate steps to grant Patta in name of the petitioner. However, the same was not considered. Hence, the present writ petition is filed.



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3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 2.

4. The Petitioner himself admitted that he has no document to show that he was in possession of the said property at the time of issuance of Patta in the name of the 3rd respondent. Therefore, without any materials, it is very difficult to pass orders in this writ petition and also by the revenue authorities and it requires evidence which cannot be decided in this writ petition.

5. Under these circumstances, the writ petition is dismissed at the admission stage itself. However, there shall be no order as to costs. The petitioner is at liberty to work out his remedy in the manner law. Consequently, connected Miscellaneous Petition is closed.

20.10.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/NoTo

1. The Collector

Cuddalore District, Cuddalore



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P.VELMURUGAN. J.

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