



WEB COPY



W.P.No.30356 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2023

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THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.30356 of 2023
and
W.M.P.No.29942 of 2023

Moorthy

... Petitioner

Vs.

1. The Tahsildar,
Avinashi Taluk,
Tiruppur District.

2. Mailathal

3. Kamalaveni

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 1st respondent dated 30.08.2023 in Application No. 2023/0103/32/513424 and to quash the same as illegal and consequently direct the 1st respondent to issue patta in favour of the petitioner in respect of Survey Nos. 243/1 and 243/2 are situated in Chinnaripalayam Village, Avinasihi Taluk, Tiruppur District in



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terms of the Lok Adalat Award dated 10.06.2023 in Lok Adalat Case No.48 of 2023 on the file of Subordinate Judge, Avinashi within a Stipulated time fixed by this Hon'ble Court.

For Petitioner : Mr.C.S.Saravanan

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader
(for R1)

No Appearance (for R2 and R3)

ORDER

The writ petition is filed to direct the the first respondent to consider and dispose of the representation dated 22/09/2023 of the petitioner in accordance with law.

2. Learned counsel for the petitioner submitted that the first respondent passed the impugned rejection order without conducting any enquiry and without considering the petitioner's documents and Award of the Competent Civil Court. It is further submitted that the impugned order was not even served on the petitioner till date and also the petitioner's application for issuance of Patta and payment of necessary charges, is not replied. Hence, he is unable to produce the same.



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3. The first respondent is directed to consider the said representation of the petitioner and if necessary, also issue notice to the petitioner and rival claimants if any and conduct the inquiry in the manner known to law and dispose of the petitioner's application in accordance with law, within a period of two (2) months from the date of receipt of a copy of this order.

3. With the above directions, the writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

21.11.2023

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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To

The Tahsildar,
Avinashi Taluk,
Tiruppur District.



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P.VELMURUGAN. J.,

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