



W.P.No.34997 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.34997 of 2022

E.Saraswathi

... Petitioner

-Vs-

1. The Revenue Divisional Officer,
Thiruvallur – 602 001.

2. The Tahsildar,
Thiruvallur District.

3. Sangariammal

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, direct the 1st respondent to consider the representation dated 11.04.2022 for the cancellation of patta in the name of 3rd respondent.

For Petitioner : Mr.C.Samadharm

For Respondents : Mrs.N.Senthil Selvi
Government Advocate [R1 & R2]



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ORDER

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The prayer sought for herein is for a writ of mandamus directing the 1st respondent to consider the representation dated 11.04.2022 for the cancellation of patta in the name of 3rd respondent.

2. The petitioner preferred an appeal to the first respondent i.e., Revenue Divisional Officer on 11.04.2022 to cancel the patta given in the name of the third respondent in respect of property at S.No.175/11, 175/5 to the extent of 5 cents at Kakaloor Village, Thiruvallur District. In order to consider the said appeal, the present writ petition has been filed.

3. Heard Mr.C.Samadharm, learned counsel appearing for the petitioner and Mrs.N.Senthil Selvi, learned Government Advocate appearing for the respondents 1 and 2.

4. In view of the order going to be passed in this writ petition, notice to the third respondent is hereby dispensed with.



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5. Learned Government Advocate appearing for the respondents 1 and 2 would submit that the said appeal filed by the petitioner to the first respondent would be decided on merits after giving an opportunity of being heard to the petitioner as well as the third respondent within a time frame that may be stipulated by this Court.

6. Considering the said submission made by the learned Government Advocate appearing for the respondents 1 and 2 and taking note of the aforesaid factual matrix, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the first respondent to consider the appeal submitted by the petitioner dated 11.04.2022 and pass orders thereon on merits and in accordance with law after giving an opportunity of being heard to both the petitioner as well as the third respondent within a period of eight(8) weeks from the date of receipt of a copy of this order.



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R. SURESH KUMAR, J.

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With this direction, this writ petition is disposed of. No costs.

03.01.2023

Index : Yes/No
Speaking order: Yes/No

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To

1. The Revenue Divisional Officer,
Thiruvallur – 602 001.
2. The Tahsildar,
Thiruvallur District.

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