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W.P.No.35232 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.35232 of 2022

Rathinavel

.... Petitioner

-Vs-

1 The Revenue Divisional Officer
O/o. The Revenue Divisional Officer
Sankari Salem District

2 The revenue Tahsildar
Sankari Taluk Office, Sankari
Salem District

3. Thiru. Ponnusamy

4. Thiru. Ramasamy

5. Thiru. Nallathambi

6. Thiru. Alagirisamy

7. Thiru. Ravishankar

8. Thiru. Rajkumar Parasampuriya

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to implement the order of the 1st respondent in Moo. Mu.94/ 2009 (c) dated 16.09.2020 and direct the 2nd respondent include the names of the petitioners father Ganapathy



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and his brother Ponnusamy in respect of the said patta No. 157 in the property in Survey No. 90/1 in respect of patta no. 157 Kanagagiri Village Sankari Taluk Salem District based on the representation of the petitioner dated 26.09.2022 within stipulated time may be fixed by this Honble court.

For Petitioner : Mr.M.Senthil Kumar

For Respondents : Mrs.Akila Rajendran
Government Advocate – for RR 1 and 2
Notice dispensed with – RR 3 to 8

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 2nd respondent to implement the order of the 1st respondent in Moo. Mu.94/ 2009 (c) dated 16.09.2020 and direct the 2nd respondent include the names of the petitioners father Ganapathy and his brother Ponnusamy in respect of the said patta No. 157 in the property in Survey No. 90/1 in respect of patta no. 157 Kanagagiri Village Sankari Taluk Salem District based on the representation of the petitioner dated 26.09.2022 within stipulated time that may be fixed by this Court.

2. The petitioner seeks to implement the order passed by the 1st respondent / Revenue Divisional Officer by an order dated 16.09.2020. In this regard, though the petitioner had given a representation dated 26.09.2022, since



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the same has not been considered and order has not been complied with by the Revenue Tahsildar ie., the 2nd respondent, he has moved the present writ petition.

3. Heard the learned counsel for the petitioner and Mrs.Akila Rajendran learned Government Advocate appearing for the official respondents. In view of the order to be passed, notice to the private respondents is dispensed with.

4. Learned Government Advocate would submit that, if the order passed by the 1st respondent dated 16.09.2020 has become final and no appeal has been filed, that would be verified by the 2nd respondent and accordingly the needful would be undertaken as per the order of the 1st respondent dated 16.09.2020 by considering the representation of the petitioner dated 26.09.2022 within a time frame that may be stipulated by this Court.

5. Considering the said submission made by the learned Government Advocate, this Court is inclined to dispose of this writ petition with the following order.

“ That there shall be a direction to the 2nd respondent to consider the representation of the petitioner dated 26.09.2022 in the light of the order passed by the 1st respondent dated



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16.09.2020 and do the needful after giving notice to both the petitioner as well as the private respondents within a period of eight weeks from the date of receipt of a copy of this order.”

6. With the above direction this writ petition is disposed of. No costs.

04.01.2023

Index : Yes/No

Neutral Citation : Yes/No

Speaking Order / Non-speaking order

KST

To

- 1 The Revenue Divisional Officer
O/o. The Revenue Divisional Officer
Sankari Salem District
- 2 The revenue Tahsildar
Sankari Taluk Office, Sankari
Salem District



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R. SURESH KUMAR, J.

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