



WEB COPY



W.P.No. 34097 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.34097 of 2023

R.Palanisamy

... Petitioner

Versus

1.The Revenue Divisional Officer,
Namakkal Revenue Division,
Namakkal.

2.The Tahsildar,
Namakkal Revenue Division,
Namakkal.

3.K.Karikalan

4.P.Revathi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 1st respondent to immediately conduct enquiry on the petitioner's representation dated 26.07.2023 pertaining to wrongful issuance of patta in favour of 3rd respondent in respect of the petitioner's property measuring 0.36 cents in Survey No.312/4, Veesanam- Village, Namakkal-Taluk and District.

For Petitioner : Mr. N.P.Sivachakravarthi

For Respondents : Mr. R.P.Murugan Raja, (for R1 & R2)
Government Advocate.



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ORDER

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This Writ Petition is filed for issuance of a “simplicitor mandamus” to direct first respondent to conduct immediate enquiry on the petitioner's representation dated 26.07.2023 pertaining to wrongful issuance of patta in favour of the third respondent in respect of the petitioner's property measuring 0.36 cents in Survey No.312/4, situated in Veesanam Village, Namakkal Taluk and Namakkal District.

2. Since this writ petition is filed for issuance of a simple writ of mandamus, the learned counsel for the petitioner submitted that it would suffice if direction is issued to the second respondent to consider the petitioner's representation dated 26.07.2023 and pass orders, within a stipulated time as may be fixed by this Court.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents No.1 & 2 and perused the materials available on record.

4. Since no adverse order is passed as against the respondents 3



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and 4, no notice was ordered and notice to them is hereby dispensed with.

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5. Considering the submissions made on either side and taking into consideration the limited prayer sought for in this Writ Petition, without going into the merits of the case, this Court is inclined to direct the first respondent to consider the petitioner's representation dated 26.07.2023 and to issue notice to the petitioner and respondents 3 & 4 and also to the adjacent land owners of the subject property and interested parties/rival claimants, if any, and after issuing notice to all the parties, the enquiry be conducted in a manner known to law and pass appropriate orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition stands disposed of. No costs.

11.12.2023

Index : Yes/No
Speaking order : Yes/No
Neutral Case Citation : Yes/No
klt

To:



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Namakkal Revenue Division,
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P. VELMURUGAN, J.

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