



W.P.No.32879 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2023

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.32879 of 2023

and

W.M.P.No.32639 of 2023

C.Mohan

... Petitioner

Vs.

1. The District Collector
Salem District, Salem- 636 001.

2. Revenue Divisional Officer,
Salem, Collectorate Office, Salem- 636 001.

3. The Tahsildar
Salem West, Hasthampatty,
Salem- 636 007.

4. The Commissioner
Salem Corporaiton,
Salem- 636 001.

5. The Assistant Commissioner
Hasthampatty Ward Office,
Salem Corporation,
16, Sarada College Road,
Hasthampatti, Salem- 636 007.



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6. The Executive Engineer
Hasthampatty Ward Office,
Salem Corporation,
16, Sarada College Road,
Hasthampatti, Salem- 636 007.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, Directing the 2nd Respondent to consider the petitioners representation dated 15.11.2023 to cancel the patta bearing Ref. No. 2023 / 153/ 08/ 018985TR dated 12.10.2023 issued in the name of 4th Respondent for T.S. Nos.105/1, 106/1, 106/2, 106/3, 107/1, 107/2 and 115/2, Hasthampatty village, H- Hasthampatty Ward, Salem Taluk and to revert the same in the petitioners name and pass.

For Petitioner : Mr.N.Jayakumr

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader.
(for R1 to R3)

:Mrs.Devi.N.,
Senior Counsel for Selem Coroporation
(for R4 to R6)



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ORDER

The writ petition is filed in the nature of Mandamus to direct the second respondent, to consider the petitioner's representation dated 15.11.2023, to cancel the Patta issued in the name of 4th respondent.

2. Learned counsel for the petitioner submitted that the petitioner is the owner of the lands bearing T.S.Nos.105/1,106/1, 106/2, 106/3, 107/1, 107/2 and 115/2, Hasthampatty village, Salem Taluk, Ward-H, Block 20, ad-measuring a total extent of about 5500 sq.ft. which he lawfully inherited by from his father Chinnathambi Gounder and mother Rajammal, who were the original owners of the said property. He further submitted that the Tahsildar, Salem, on 12.10.2023, at the instance of the 4th respondent/ Salem Corporation, unilaterally and without any notice to the petitioner, transferred the Patta in respect of the above land, in favour of the 4th respondent/ Salem Corporation and the Salem Corporation officials are attempting to remove the petitioner's superstructure and dis-possess the petitioner by force. Hence, the present writ petition is filed.



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

22.11.2023

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation : Yes / No
(sha)



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To
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P.VELMURUGAN. J.,

(sha)

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