



W.P.No.35219 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.35219 of 2022

S.Vijayakumar

... Petitioner

-Vs-

1. The District Revenue Officer,
Office of the District Revenue Officer,
Tiruppur District.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Udumalpet Taluk,
Tiruppur District.
3. The Tahsildar,
Office of the Tahsildar,
Udumalpet Taluk,
Tiruppur District.
4. The Village Administrative Officer,
Chinnaverrampatti Village,
Udumalpet Taluk,
Tiruppur District.

5. Valliammal
6. Nachammal

... Respondents



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Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 to remove the illegal entry (i.e. by removing the name of Ponnusamy Gounder) in Patta Nos.2383 and 2386 in respect of petitioner's absolute properties in S.F.No.235/1 and 236/A1 situated at Cinnaverampatty Village, Udumalpet Taluk.

For Petitioners : Mr.R.Nandha Kumar
For Respondents : Mr.R.P.Murugan Raja
Government Advocate [R1 to R4]

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents 1 to 4 to remove the illegal entry (i.e. by removing the name of Ponnusamy Gounder) in Patta Nos.2383 and 2386 in respect of petitioner's absolute properties in S.F.No.235/1 and 236/A1 situated at Cinnaverampatty Village, Udumalpet Taluk.

2. The petitioner has given a representation to the third respondent Tahsildar on 06.01.2022 for removing the name of the fifth and sixth respondents, which according to the petitioner have been inserted wrongly in the patta pertaining to the land at S.F.No.235/1 and 236/A1 at Cinnaverampatty Village, Udumalpet Taluk, Tiruppur District.



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3. In order to consider the said representation dated 06.01.2022, the petitioner has moved the present writ petition.

4. Heard Mr.R.Nandha Kumar, learned counsel appearing for the petitioner, who would submit that before inserting the name of the private respondents in the patta concerned, no proceedings have been issued and no opportunity had been given to the petitioner.

5. Heard Mr.R.P.Murugan Raja, learned Government Advocate appearing for the respondents 1 to 4, who would submit that the said representation submitted by the petitioner would be considered after giving an opportunity of being heard to both the petitioner as well as the private respondents herein within a time frame that may be stipulated by this Court.

6. Having regard to the said submission made by the learned Government Advocate appearing for the respondents 1 to 4 and taking note of the aforesaid factual matrix of the case as projected by the learned counsel for the petitioner, this Court is inclined to dispose of this



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writ petition with the following order:

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That there shall be a direction to the third respondent Tahsildar to consider the representation of the petitioner dated 06.01.2022 after giving an opportunity of being heard to the petitioner as well as the private respondents herein and after conducting an enquiry, necessary orders should be passed with regard to the plea raised by the petitioner within a period of eight(8) weeks from the date of receipt of a copy of this order.

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

03.01.2023

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

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R. SURESH KUMAR, J.

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