



WEB COPY



WP.No.12751 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.12751 of 2024

Sathyamoorthi

.. Petitioner

Versus

1.The District Collector
Dharmapuri District
Dharmapuri

2.The Revenue Divisional Officer
Harur, Dharmapuri District

3.The Tahsildar
Harur, Dharmapuri District

4.Jayanthi

5.Ramachandran

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to cancel the patta bearing Patta No.428 issued by the 3rd respondent to Jayanthi, the 4th respondent herein with regard to the property situated at survey No. 56/2 measuring to an extent of 0.13 hectares at Mobbiripatti Village, Harur Taluk, Dharmapuri District.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.P.Sathish for R1 to R3
Additional Government Pleader



WP.No.12751 of 2024

ORDER

WEB COPY This writ petition is filed for a direction to the respondents 1 to 3 to cancel the patta bearing Patta No.428 issued by the 3rd respondent to Jayanthi, the 4th respondent herein with regard to the property situated at survey No. 56/2 measuring to an extent of 0.13 hectares at Mobbiripatti Village, Harur Taluk, Dharmapuri District.

2. It is the case of the petitioner that the petitioner was using one cent of Government land to reach his private property, however, without consideration of the same, now the patta has been issued to the fourth respondent. In view of the same, now the common access to the petitioner is blocked, in this regard, he has given a representation to the respondents 1 and 2. In turn, they also directed the third respondent to enquire and pass order, however, the same has not been passed. Hence, this writ petition.

3. Heard both sides and perused the materials available on record.

4. Since no adverse order is passed against the fourth respondent, notice to the fourth respondent is dispensed with. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.



WP.No.12751 of 2024

5. On perusal of the records, particularly, the letter addressed by the second respondent to the third respondent and memo issued by the District Collector to the Tahsildar indicate to look into the allegations of blocking access and enquiry to be conducted in this regard, however, no action so far taken. Such view of the matter, the third respondent/Tahsildar is directed to conduct an enquiry in pursuance to the directions of the respondents 1 and 2 and pass a detailed order on merits and in accordance with law after giving opportunity of hearing to the petitioner as well as the fourth respondent. If the Tahsildar finds that the entire access to the petitioner's private property is blocked due to such patta, the authorities may consider issuing alternative place to the fourth respondent and enable the petitioner to have a proper access to his private place. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this Order.

6. Accordingly, this writ petition stands disposed of. No costs.

04.06.2024

dhk
Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No



WEB COPY



WP.No.12751 of 2024

N. SATHISH KUMAR, J.

dhk

To,

1.The District Collector
Dharmapuri District
Dharmapuri

2.The Revenue Divisional Officer
Harur, Dharmapuri District

3.The Tahsildar
Harur, Dharmapuri District

W.P.No.12751 of 2024

04.06.2024