



WEB COPY



W.P. No.9945 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. No.9945 of 2018 and
W.M.P. No.11882 of 2018

S.Rajendran

. . Petitioner

Vs

1.The Special Thasildhar
Town Survey and Settlement
Coimbatore North
Coimbatore

2.Sangeetha

3.Parvathy

4.Rajeswari

. . Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus calling for the records of the 1st respondent bearing Ni.Mu.No.118/2017 dated 27.11.2017 and quash the same and direct the 1st respondent to restore the name of Palaniammal the petitioner's vendor in T.S. No.58/2C.

For Petitioner : Mr.K.Venkatasubban for



W.P. No.9945 of 2018

M/s.Sarvabhauman Associates

For Respondents : Mr.A.Selvendran, Spl. GP for R1
Mr.N.Ishtiaq Ahmed for R2
Mr.R.Shanmugam for R3 and R4

ORDER

This writ petition has been filed challenging the order of the 1st respondent bearing Ni.Mu.No.118/2017 dated 27.11.2017.

2. The learned counsel appearing for the petitioner would submit that the impugned order has been passed without giving an opportunity to the petitioner. The learned counsel has also brought to the notice of this court that the same Tahsildar has given a clarification that such mistake has crept in the order due to similarity of the names of the patta orders.

3. As rightly contended by the learned counsel for the petitioner, by a proceeding in Na.Ka.33/2018 dated 18.07.2018, the Tahsildar has admitted the mistakes crept in the records, particularly due to the similarity of the names and according to him, the removal of the vendor name of the petitioner is due to such mistake and hence submitted that, if the matter is remanded to the first respondent and he is given an opportunity, he will establish the same. The



W.P. No.9945 of 2018

learned Special Government Pleader appearing for the first respondent has no objection for remanding the matter back to the Tahsildar.

4. In such view of the matter, as the very same authority has admitted in a subsequent communication with regard to the mistake that had crept in the revenue records, the order impugned in this writ petition is set aside and the matter is remanded back to the first respondent, namely the Special Thasildhar, Town Survey and Settlement, Coimbatore North, Coimbatore. The first respondent shall pass an order after giving an opportunity to the rival parties, within a period of three months from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs. Consequently, the connected writ miscellaneous petition is closed.

05.04.2024

Index : Yes / No
Speaking/non speaking order
Neutral Citation : Yes/No
Asr

N. SATHISH KUMAR, J.

Asr



W.P. No.9945 of 2018

To

1. The Special Thasildhar
Town Survey and Settlement
Coimbatore North
Coimbatore

2. The Government Pleader
High Court, Madras

W.P. No.9945 of 2018 and
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