



W.P. No.5525 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

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S.Chinnadurai

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Kallakurichi.

2.The Tashildar,
Chinnasalem Taluk,
Kallakurichi District.

3.Suseela

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider petitioner's appeal dated 08.05.2023 consequently direct the respondents 1 and 2 to restore the petitioner's father Senkagounder's name as mentioned in Patta No.4992 with respect to the total property bearing S.No.496/10 in Chinnasalem (South) Village, Kallakurichi Taluk.



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For Petitioner : Mr. S. N. Subramani
For Respondents : Mr. A. Selvandran,
Special Government Pleader, (for R1 & R2)

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 1st respondent to consider petitioner's appeal dated 08.05.2023, consequently direct the respondents 1 and 2 to restore the petitioner's father Senkagounder's name as mentioned in Patta No.4992 with respect to the total property bearing S.No.496/10 in Chinnasalem (South) Village, Kallakurichi Taluk.

2. The case of the petitioner is that the 3rd respondent in collusion with some other third parties, created a bogus partition deed in Document No.4759/2011 and obtained Patta No.5440 by subdividing the property belongs to the petitioner's father, as S.No.496/10B vide proceedings of the 2nd respondent in RTR 2022/0105/33/354997 dated 31.10.2022. Aggrieved by the same, the petitioner has made an appeal dated



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08.05.2023 before the 1st respondent seeking to cancel the patta given to the 3rd respondent and to restore the Joint Patta in the name of the petitioner's father's and others as in Patta No.4992 with respect to the subject property. However, no action was taken. Subsequently, he also made a representation dated 22.09.2023. Still there was no response. Hence, the present Writ Petition is filed.

3. Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents 1 and 2. Since no adverse order is being passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

4. Having regard to the submissions made by the learned counsel on either side and since this writ petition is filed seeking a simple writ of mandamus to dispose of the appeal dated 08.05.2023, this Court without expressing any opinion with regard to the merits of the case, directs the 1st respondent issue notice of hearing on the appeal to the petitioner and to the



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3rd respondent herein and also to the interested parties/rival claimants/objectors/any other parties involved in the appeal as the case may be and after giving opportunity of hearing to all the parties, dispose of the appeal and pass orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of at the admission stage itself. There shall be no order as to costs.

05.03.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Case Citation : Yes/No

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To

WEB COPY

- 1.The Revenue Divisional Officer,
Kallakurichi.
- 2.The Tashildar,
Chinnasalem Taluk,
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P.VELMURUGAN. J.

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