



WEB COPY

W.P. No.5016 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.5016 of 2024

K.Ramalingam

... Petitioner

Vs.

1. The District Collector
Collectorate Kallakurichi
Kallakurichi District

2. The Tahsildar
Ulundurpettai Taluk
Kallakurichi District

3. Mahendran

4. Dhanasekaran

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus directing the 2nd respondent to dispose the petitioner's representation dated 26.07.2023 and consequently to cancel the Natham Patta No.134 to the property comprise in Old Survey No.162/15, New Survey No.194/6, Sikkadu Village, Ulundurpettai Taluk, Kallakuruchi District.

For Petitioner : M/s.K.Varsha

For R1 and R2 : Mr.S.J.Mohamed Sathik
Government Advocate

**ORDER**

WEB COPY

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 2nd respondent to dispose the petitioner's representation dated 26.07.2023 and consequently to cancel the Natham Patta No.134 to the property comprise in Old Survey No.162/15, New Survey No.194/6, Sikkadu Village, Ulundurpettai Taluk, Kallakuruchi District, issued in the name of one Muthaiha Asari despite the objections made by the petitioner.

2. The contention of the learned counsel for the petitioner is that taking advantage of the said Patta, the legal heirs of the said Muthaiah Asari alienated the property to the 3rd and 4th respondents herein along with the petitioner's share. Hence, a direction may be issued to the 2nd respondent to consider the petitioner's representation dated 26.07.2023 within a time frame as may be fixed by this Court.

3. Mr.S.J.Mohamed Sathik, learned Government Advocate takes notice for the respondents 1 and 2. Since no adverse order is being passed against the respondents 3 and 4, notice to the respondents 3 and 4 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 consider the petitioner's representation, this Court without expressing any opinion with regard to the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 26.07.2023 and issue notice to the petitioner, respondents 3 and 4 herein, adjacent land owners of the four boundaries of the subject property, interested parties/rival claimants/objectors/aggrieved parties if any, as the case may be and conduct enquiry in the manner known to law 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.

28.02.2024

ksa-2

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



W.P. No.5016 of 2



To

1. The District Collector
Collectorate Kallakurichi
Kallakurichi District

2. The Tahsildar
Ulundurpettai Taluk
Kallakurichi District



WEB COPY



W.P. No.5016 of 2

P.VELMURUGAN. J.

Ksa-2

W.P. No.5016 of 2024

28.02.2024