



WEB COPY



WP.No.15291 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.15291 of 2024

S.Chidambara Saravanan

.. Petitioner

Versus

1. The Revenue Divisional Officer,
Erode, Erode District.

2. The Tahsildar,
Erode Taluk, Erode, Erode District.

3. A.Senthilkumar

4. V.Shanmugam

5. K.Ganeswaran

6. Pavai Arunachalam

7. N.D.Thirunavukkarasu

8. Subramaniam

9. Chandrakumar

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to consider the petitioner's appeal dated 05.02.2024 filed for canceling the patta issued in the names of the respondents 3 to 9 in respect of the lands in R.S.No.43 and 71 situate at Block – 49, Ward – C, Erode Town, Erode Taluk & District in accordance with law and within a stipulated period.



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For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.A.Selvendran
Special Government Pleader – R1 & R2

ORDER

Since no adverse Orders have been passed against the respondents 3 to 9, notice to them is dispensed with. With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to direct the first respondent to consider the petitioner's appeal dated 05.02.2024 filed for canceling the patta issued in the names of the respondents 3 to 9 in respect of the lands in R.S.No.43 and 71 situate at Block – 49, Ward – C, Erode Town, Erode Taluk & District in accordance with law and within a stipulated period.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 & 2 and perused the materials available on record.



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WEB COPY 4. It is the case of the petitioner that one Arumuga Mudali and 19 others had purchased to a total extent of 12066.44 sq.ft. and 13320.45 under two document of sale deeds dated 16.02.1892 and 14.07.1906 respectively and the lands were purchased for the specific purpose of dyeing [Pavadi] hereditarily for the Senkunthar Community and it cannot be encumbered. Subsequently, due to migration and modernization process, as the lands were lying vacant, a resolution has been passed in the year 2001 to construct a hospital in the above said lands. While so, the respondents 3 to 9, who are rich and powerful persons and having support from various quarters including Government officials, fabricated documents and obtained patta by including their names for the said Pavadi lands. In this regard the petitioner has already filed a statutory appeal before the first respondent on 05.02.2024 and the same is pending without any progress. Hence, the present Writ Petition.

5. Considering the limited relief sought for by the petitioner, the first respondent is directed to dispose of the appeal filed by the petitioner on 05.02.2024 on merits and in accordance with law, after giving notice the respondents 3 to 9, within a period of the three months from the date of receipt of a copy of this Order.



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WEB COPY 6. With the above direction, this writ petition is disposed of. No costs.

14.06.2024

vrc

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

To,

1. The Revenue Divisional Officer,
Erode, Erode District.
2. The Tahsildar,
Erode Taluk, Erode, Erode District.



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N. SATHISH KUMAR, J.

VRC

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