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W.M.P.No.42275 of 2024

in

W.P.No.15259 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.01.2025

Coram

The Hon'ble Mr.Justice N.Sathish Kumar

W.M.P.No.42275 of 2024

in

W.P.No.15259 of 2024

1. M.Chennammal
2. M.Ramesh
3. Minor Sathishkumar

... Revision Petitioners

Vs.

1. P.Karuppiyammal @ Karpagammal
2. The Tahsildar,
Chengam Taluk,
Thiruvannamalai District.

... Respondents

For Revision Petitioners : Dr.C.Ravichandran for
M/s. S.B.Viswanathan

For Respondent-1 : Mr.M.Manoj

For Respondent-2 : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Miscellaneous Petition has been filed to recall the order passed by this Court in W.P.No.15259 of 2024 dated 13.06.2024.



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2. By virtue of the aforesaid order, the second respondent herein, viz., the Tahsildar, Thiruvannamalai District was directed to consider the representation of the first respondent/writ petitioner, P.Karuppiyammal @ Karpagammal dated 11.07.2023 and pass orders for survey of the property.

3. The learned counsel for the petitioners would submit that already the first respondent/writ petitioner has filed a Writ Petition, in W.P.No.27403 of 2022 seeking for a direction to consider her representation dated 13.04.2022 and to rectify certain errors in the patta, and the said Writ Petition was disposed of by order dated 13.10.2022 by directing the Revenue Divisional Officer, Anna Salai, Thiruvannamalai, to consider the representation and pass appropriate orders. Based on the order dated 13.10.2022 made in W.P.No.27403 of 2022, separate patta is said to have been issued in favour of the first respondent/writ petitioner, however, the same has been challenged by the petitioners by way of an Appeal before the District Revenue Officer (DRO) and the Appeal is now pending.

3.1 The learned counsel for the petitioners also brought to the notice of this Court that all revenue records originally stood in the name of the petitioners and they are in possession of the property.

4. Heard the learned counsel for the parties concerned.



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5. Considering the fact that the petitioners have filed an Appeal as against the issuance of separate patta in favour of the first respondent/writ petitioner and the same is now pending before DRO, this Court is of the view that it would be suffice to dispose of this Miscellaneous Petition with the following modification :-

"The DRO shall decide the Appeal filed by the petitioners on its own merits by taking into account all the revenue records produced by both sides and pass appropriate orders. Based on the orders passed by the DRO, if survey of the first respondent/writ petitioner's property and demarcation, if any, is required, application can be made in that regard."

6. Accordingly, the order passed by this Court in W.P.No.15259 of 2024 dated 13.06.2024 is modified to the extent as stated above.

7. Consequently, the present Writ Miscellaneous Petition is disposed of.

20.01.2025

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