



WP.No.17737 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **08.07.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.17737 of 2024 & WMP.No.19477 of 2024

N.Kandasamy

.. Petitioner

Versus

1. The District Collector,
Office of Collectorate, Salem District.

2. The Revenue Divisional officer,
O/o.Revenue Divisional Officer,
Attur Town and Taluk, Salem District.

3. The Tahsildar, O/o.Tahsildar,
Thalaivasal Taluk, Salem District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondent authorities from cancelling the patta issued in favour of the petitioner vide patta 1742, property in S.No.319/3A1 and 319/3A2 to an extent of about 1.12 acres in Siruvachur South Village, Thalaivasal Taluk, Salem District without following due process of law by considering the petitioner's representation dated 07.06.2024.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.A.Selvendran,
Special Government Pleader



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ORDER

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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 forbear the respondent authorities from cancelling the patta issued in favour of the petitioner vide patta 1742, property in S.No.319/3A1 and 319/3A2 to an extent of about 1.12 acres in Siruvachur South Village, Thalaivasal Taluk, Salem District without following due process of law by considering the representation of the petitioner dated 07.06.2024.

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

4. The case of the petitioner is that the subject property was originally owned by the mother of the petitioner and patta has also been granted in favour of his mother. Subsequently, the petitioner became the owner of the property as per the registered partition deed dated 30.10.1992 and



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patta has also been granted in favour of the petitioner. While so, on 03.06.2024, the revenue officials entered into his agricultural land and stated that they are going to cancel the patta issued in favour of the petitioner. Therefore, the petitioner gave a representation to the respondent authorities to not to cancel the patta issued to the petitioner without following due process of law. Since, the authorities are trying to cancel the patta issued to the petitioner, the present Writ Petition has been filed.

5. The very affidavit filed along with the writ petition indicate that the petitioner is seeking restraint Order against the authorities. There cannot be any positive direction against the authorities from forbearing them from taking any action. It is for the authorities to follow due process of law and pass Orders and the authorities shall give an opportunity to the petitioner, before taking any action as per law.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

08:07.2024

vrc



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

To,

1. The District Collector,
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2. The Revenue Divisional officer,
O/o.Revenue Divisional Officer,
Attur Town and Taluk, Salem District.
3. The Tahsildar, O/o.Tahsildar,
Thalaivasal Taluk, Salem District.



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N. SATHISH KUMAR, J.

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