



WP.Nos.17682 & 17685 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **08.07.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Nos.17682 & 17685 of 2024

Solla Chinnammal

.. Petitioner in W.P.No.17682 of 2024

1. Savi Pushpanathan

2. Savi Thangarasu

.. Petitioner in W.P.No.17685 of 2024

Versus

1. The Commissioner, Survey and Settlements Department,
Survey House, Chepauk, Chennai – 600 005.

2. The District Collector,
Namakkal District.

3. The Revenue Divisional Officer,
Namakkal District.

4. The Tahsildar,
Kolli Hills Taluk [Vazhavanthinadu Village],
Namakkal District.

5. Soundararajan

6. Aravindan

.. Respondents in W.P.17682 of 2024

1. The Commissioner, Survey and Settlements Department,
Survey House, Chepauk, Chennai – 600 005.

2. The District Collector,
Namakkal District.



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3. The Revenue Divisional Officer,
Namakkal District.

4. The Tahsildar,
Kolli Hills Taluk [Vazhavanthinadu Village],
Namakkal District.

5. Savi Ravi

6. Savi Chinnarasu

.. Respondents in W.P.17685 of 2024

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 2 to 4 consider and pass appropriate order on the representation dated 02.02.2024 made by the petitioner to cancel the patta issued in favour of Mrs. Kanatha Padaari Ammal in respect of all that piece and parcel of agricultural land comprised in Survey No. 330/5 and 313/2 respectively in Thinnanoor Nadu Village formerly Namakkal Taluk now Kolli Hills Taluk Namakkal District measuring an extent of 5 and 2.79 acres respectively or there abouts.

For Petitioner :Mr.U.Venkatesh
[in both WPs]

For Respondent :Mr.A.Selvendran,
[in both WPs] Special Government Pleader – R1 to R4

COMMON ORDER

Since no adverse Order has been passed against the fifth and sixth respondents, notice to them is dispensed with. With the consent of both sides, these Writ Petitions are taken up for final disposal at the admission stage itself.



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2. These Writ Petitions are filed to direct the respondents 2 to 4 to consider and pass appropriate order on the representation dated 02.02.2024 made by the petitioners to cancel the patta issued in favour of Mrs. Kanatha Padaari Ammal in respect of all that piece and parcel of agricultural lands comprised in Survey No.330/5 and 313/2 respectively in Thinnanoor Nadu Village formerly Namakkal Taluk now Kolli Hills Taluk Namakkal District measuring an extent of 5 and 2.79 acres respectively.

3. Heard learned counsel for the petitioners and the learned Special Government Pleader appearing for the respondents 1 to 4 in both the Writ Petitions and perused the materials available on record.

4. The case of the petitioners is that the petitioners are cultivating in their land and they are in uninterrupted possession of the same. While so, the fifth and sixth respondents attempted to disturb the possession of the petitioners claiming ownership over the property. On perusal of the records, the petitioners came to know that during resurvey proceedings, was wrongly issued by the fourth respondent in favour of third parties. In this regard, the petitioners have given a representation to the respondents on 02.02.2024. But



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no action has been taken by the respondents till date. Hence, the present Writ Petitions.

5. The learned Special Government Pleader on instructions submitted that on the representation of the petitioners, enquiry is fixed on 12.07.2024 and on completion of enquiry, Orders will be passed by the authorities on merits.

6. In such view of the matter, the respondents 2 to 4 are directed to consider the representation of the petitioners dated 02.02.2024 and pass appropriate Orders on merits and in accordance with law, after affording opportunity to the petitioners as well as the respondents 5 and 6, within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, these Writ Petitions are disposed of. No costs.

08:07.2024

vrc

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No



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To,
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Survey House, Chepauk, Chennai – 600 005.
2. The District Collector,
Namakkal District.
3. The Revenue Divisional Officer,
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N. SATHISH KUMAR, J.

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