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W.P.No.25664 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.25664 of 2024

K.Viswakumar Kalingarayar

...Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Coimbatore 641018.
2. The Sub-Collector Cum Revenue Divisional Officer,
Pollachi, Coimbatore District.
3. The Revenue Divisional Officer,
Bodipalayam, Pollachi Taluk,
Coimbatore District.
4. The Tahsildar,
Pollachi Taluk,
Pollachi 642001.
Coimbatore District.
5. The Village Administrative Officer,
Bodipalayamm,
Pollachi Taluk,
Coimbatore District.



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6. K.Nataraj Kalingarayar
7. P.Kalaivani
8. A.S.Meera

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent to cancel the joint patta bearing No.830, Revenue Village-Bodipalayam, Pollachi Taluk, Coimbatore District.

For Petitioner : Mr.G.Viswanathan

For Respondents : Mr.A.Selvendran for R1 to R5
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the third respondent to cancel the joint patta issued in the name of legal heirs of his brother in respect of the property situated in S.No.126/3, at Bodipalayam Village, Pollachi Taluk, Coimbatore District.

2. According to the petitioner, the land in S.No.126/3 originally



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belonged to his father Kathirvel and he passed away on 15.11.2022. A civil suit is pending between the petitioner and his siblings in respect of the properties of his father. In the mean time, the revenue records were changed in the names of the legal heirs of Kathirvel without hearing the petitioner. Aggrieved by the same, the petitioner submitted a representation on 27.06.2023 before the second respondent.

3. The main grievance of the petitioner is that the revenue documents stood in the name of his father have been mutated in favour of his legal heirs without hearing the petitioner. The petitioner submitted a representation seeking restoration of the revenue records in the name of his father and the same has not been considered. Therefore, the petitioner is before this Court.

4. Mr.A.Selvendran, learned Special Government Pleader, who takes notice for the respondents 1 to 5 would submit that the representation of the petitioner will be considered, on its own merits, within a time frame fixed by this Court.



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5. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the third respondent to consider the representation of the petitioner dated 27.06.2023 sent him by registered post on 03.07.2024 and pass final orders, on its own merits, within a period of 12 weeks from the date of receipt of copy of this order, after issuing notice to the respondents 6 to 8.

6. With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna



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S.SOUNTHAR, J.
dna

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