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W.P.No.25865 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.25865 of 2024

Aanai Gounder

... Petitioner

VS.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Mettur, Salem District.

2.The Tahsildar,
Kadayampatti Taluk Office,
Salem District.

3.The Sub-Registrar,
Omalur Sub-Register Office,
Omalur, Salem District.

4.Kannan

5.Vinoth

6.Unnamalai

7.Vaiyapuri

8.Chandran

9.Chinnathayi

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd Respondents to conduct an enquiry based on the petitioner's representation dated 02.07.2024 and cancel the following pattas 1) Patta No.28 in respect of Survey No.99/3B 2) Patta No.105 in respect of Survey No.99/3A and 99/3F 3) Patta No.749 in respect of Survey No.99/3G 4) Patta No.263 in respect of Survey No.99/3C and 5) Joint Patta No.466 in respect of Survey No.99/3D and 99/3E, situated at Elathur Village, Nadupatti Post, Kadayampatti Taluk, Salem District and further direct the 3rd Respondent not to permit to make any encumbrance on the above said properties.

For Petitioner : Ms.S.Rithika
for M/s.G.Ambika

For R1 to R3 : Mr.A.M.Ayyadurai
Government Advocate

ORDER

The petitioner herein seeks a direction to the respondents 1 and 2 to conduct enquiry based on the petitioner's representation dated 02.07.2024 and cancel the pattas issued in the name of private respondents.



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2. According to the petitioner, his father-Sevi Gounder purchased 2 acres 25 cents of land comprised in Survey No.99/3 situated in Elathur Village, Nadupatti Post, Kadayampatti Taluk, Salem District under a registered Sale Deed dated 29.05.1956. The father of the petitioner died in the year 1980. Thereafter, the petitioner's siblings and his legal representatives namely respondents 4 to 9 illegally got transfer of patta in their names. Therefore, the petitioner submitted a representation dated 02.07.2024 before the respondents 1 and 2 seeking cancellation of patta issued in the name of private respondents. The said representation has not been considered by the respondents 1 and 2 till date. Therefore, the petitioner is before this Court.

3. Mr.A.M.Ayyadurai, learned Government Advocate, who is taking notice for the respondents 1 to 3 would submit that the representation of the petitioner dated 02.07.2024 will be considered by the respondents 1 and 2 on its own merit within the time fixed by this Court.

4. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the respondents 1 and



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2 to consider the representation of the petitioner dated 02.07.2024 and pass final orders on its own merit, after issuing necessary notice to the respondents 4 to 9, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs.

06.09.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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S.SOUNTHAR, J.

dm

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