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W.P.No.26392 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.26392 of 2024

1. G.Elumalai
2. G.Ariraman

...Petitioners

Vs.

1. The Revenue Divisional Officer,
Madurantagam,
Chengalpattu District.
2. The Tahsildar,
Cheyyur Taluk, Cheyyur,
Chengalpattu District.
3. Kasturi
4. Sathiyakumar
5. Rajendran
6. Kamalakannan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent herein to dispose of the appeal dated 10.04.2024 taken on file in Na.Ka.2565/2024 filed by the petitioners challenging the inclusion of the names of the respondents 3 to 6 herein in the patta bearing No.832 in accordance with law and within a stipulated period.



WEB COPY



W.P.No.26392 of 2024

For Petitioner : Mr.Govi Ganesan
For R1 & R2 : Mr.A.Selvendran
Special Government Pleader

ORDER

The petitioners herein seek a direction to the first respondent to dispose of the appeal dated 10.04.2024 taken on the file in Na.Ka.2565/2024 filed by them, against the order passed by the second respondent thereby including the names of the respondents 3 to 6 in the patta bearing No.832, in accordance with law, within a time frame to be stipulated by this court.

2. According to the petitioners, originally, the property in Punja S.F.No.237/19 measuring an extent of 0.21.0 hectares situated at Vilambur Village, Cheyyur Taluk, Chengalpattu District, belonged to their father Govindasamy and he was also issued with patta no.466 in respect of the said property. After his death, the petitioners inherited the same and they were issued with patta no.832. While so, they have alienated 13 cents out of 0.21.0 hectares to one Mannar @ Prakash and Suresh, vide sale deed dated 18.05.2006 registered as Doc.No.1382 of 2006 on the file of SRO, Cheyyur and the petitioners are in possession and enjoyment of the remaining extent of



W.P.No.26392 of 2024

39 cents. It is the grievance of the petitioners that the second respondent without issuing any notice and without conducting proper enquiry, included the names of the private respondents in patta no.832 pertaining to the petitioners' property. Challenging the said order, the petitioners preferred an appeal dated 10.04.2024 to the first respondent, which was taken on file in Na.Ka.No.2565 / 2024. However, till date, nothing moved. Therefore, the petitioners are before this court with the present writ petition for the aforesaid relief.

3. Mr.Selvendran, learned Special Government Pleader, who takes notice for the respondents 1 & 2 would submit that the appeal filed by the petitioners would be considered on its own merits and appropriate orders will be passed.

4. In view of the above submission made by the learned Special Government Pleader, without going into the merits of the claim made by the petitioners, this Court is inclined to issue a direction to the first respondent to dispose of the appeal filed by the petitioners dated 10.04.2024 and pass final orders, after issuing notice to the petitioners as well as respondents 3 to 6 and



W.P.No.26392 of 2024

any other interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of.

No costs.

12.09.2024

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

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To

1. The Revenue Divisional Officer,
Madurantagam,
Chengalpattu District.
2. The Tahsildar,
Cheyyur Taluk, Cheyyur,
Chengalpattu District.



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W.P.No.26392 of 2024

S. SOUNTHAR, J.

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