



W.P.No.30452 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.30452 of 2019

Annaiyan

... Petitioner

Vs.

- 1.The District Collector,
Villupuram District,
Collector Office Road,
Moovendar Nagar,
Villupuram – 605 602.
- 2.The District Revenue Officer,
Villupuram District,
Collector Office Road,
Moovendar Nagar,
Villupuram – 605 602.
- 3.The Revenue Divisional Officer,
Kallakurichi Taluk, Villupuram District.
- 4.The Thasildar,
Kallakurichi Taluk, Villupuram District.
- 5.The Village Administrative Officer,
No.65, Bangaram Village,
No.66, Namasivayapuram, Kallakurichi Taluk,
Villupuram District.



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6.Vishwanathan

7.Sivagami

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the first to fifth respondents to cancel the Patta issued in respect of the agricultural lands comprised in Survey Nos.144/10 and 144/9 in favour of the sixth and seventh respondents respectively vide TK 8A 183/1409 dated 08.02.2000 and to take appropriate measures for usage of public road comprised in Survey No.144/7 without any obstruction/hindrance from the sixth and seventh respondents.

For Petitioner	: Mr.Raja Janakiraman
For Respondents	:
For R1 to R5	: M/s.M.Jayanthy Additional Government Pleader
For R6 and R7	: Mr.Arun Babu

ORDER

This Writ Petition has been filed seeking for issuance of a mandamus, to direct the first to fifth respondents to cancel the Patta issued in respect of the agricultural lands comprised in Survey Nos.144/10 and 144/9 in favour of the sixth and seventh respondents respectively vide TK 8A 183/1409 dated 08.02.2000 and to take appropriate measures for usage of public road comprised in Survey No.144/7 without any obstruction/hindrance from the sixth and



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seventh respondents.

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2. It is represented that Mr.A.V.B.Krishnakanth, learned counsel on record is appointed as Additional Government Pleader and he is not any more appearing for the petitioner in this case. Hence, Mr.Raja Janakiraman, learned counsel appears for the petitioner.

3. According to the petitioner, he belongs to Scheduled Caste Community and a resident of Bangaram Village, Kallakurichi Taluk, Villupuram District. The Government of Tamil Nadu vide Government Order bearing Ref.No.255 dated 02.11.1993, has granted permission to grant Patta for the land acquired by the Nila Kudiyatra Co-operative Societies for the welfare of its Scheduled Caste and Scheduled Tribe members. Accordingly, the Bangaram Village Nila Kudiyatra Co-operative Society has provided agricultural land to the petitioner, measuring to an extent of 2 Acres comprised in Survey No.143/9 situated at Bangaram Village, Kallakurichi Taluk, Villupuram District.

4. The land measuring to an extent of 0.05 ares comprising in Survey No.144/7 situated at Bangaram Village, Kallakurichi Taluk, Villupuram District was demarcated and formed as Public Road for providing access to the



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agricultural lands situated in interior areas. Even in the revenue records, the said property measuring to an extent of 0.05 ares has been classified only as pathway.

5. The grievance of the petitioner is that the sixth and seventh respondents have purchased the lands which are meant for the welfare of the Scheduled Caste (SC) and Scheduled Tribe (ST) community and also illegally obtained Patta vide TK 8A 183/1409 dated 08.02.2000. Therefore, the petitioner made several representations to the first respondent seeking to cancel the Patta granted in favour of the sixth and seventh respondents. Since no response is forthcoming, the petitioner has come forward with the present writ petition.

6. Learned counsel appearing for the petitioner submitted that the petitioner has given several representations to the official respondents, seeking to take action against the sixth and seventh respondents for usage of public pathway and to cancel the Patta issued in favour of the sixth and seventh respondents. But, the same were not considered and disposed till date.

7. Learned Additional Government Pleader appearing for the first to fifth



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respondents submitted that the petitioner has given two representations dated 23.02.2015 and 23.07.2019, seeking to take action against the sixth and seventh respondents for usage of public pathway comprised in Survey No.144/7 situated at Bangaram Village, Kallakurichi Taluk, Villupuram District. But, the prayer in this writ petition is to direct the first to fifth respondents to cancel the Patta issued in respect of the agricultural lands comprised in Survey Nos.144/10 and 144/9 in favour of the sixth and seventh respondents respectively.

8. Learned Additional Government Pleader appearing for the first to fifth respondents submitted that a detail inquiry will be conducted by the fourth respondent within the time frame that may be fixed by this Court.

9. In view of the above submission made by the learned counsel on either side, the fourth respondent is directed to conduct a detail inquiry after giving due notice to both parties, opportunity of personal hearing, to consider the documents submitted by both parties, on merits, in accordance with law and pass appropriate orders by following the above principles of natural justice, within a period of three months from the date of receipt of a copy of this order.

10. This Writ Petition is disposed of with the above observations and



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directions. No costs.

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Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation : Yes/No

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