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W.P.No.30721 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2024

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.30721 of 2024

R.Yugendra Babu

...Petitioner

Vs.

1. The District Collector,
Collector Office,
Tiruvallore District,
Tiruvallore - 602 003.
2. The Revenue Divisional Officer (R.D.O),
Revenue Divisional Office,
Tiruvallore - 602 003.
3. The Thasildar,
Othukottai Taluk,
Tiruvallore District.
4. K.Manivannan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, direct the second respondent to consider the petitioner representation dated 16.03.2023 consequently direct the second respondent to cancel the Patta document No.1015 stands in the name of fourth and deceased Lakshminarayanan in respect of our ancestral Agricultural properties situated at Tiruvallore District, Oothukottai Taluk, Pagal Medu Village No.72, and pass such other suitable orders.



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For Petitioner : Mr.G.Kartheeban

For R1 to R3 : Mr.A.Selvendran
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the second respondent to consider his representation dated 16.03.2023 seeking cancellation of patta issued in the name of the fourth respondent in patta No.1015.

2. By consent of both the learned counsel appearing for the petitioner as well as respondents 1 to 3, this writ petition is disposed of at the admission stage itself.

3. It is the case of the petitioner that the subject properties are ancestral properties. The official respondents without considering the petitioner's right issued patta in the name of the fourth respondent. Therefore, he submitted a representation dated 16.03.2023 seeking cancellation of patta issued in the name of the fourth respondent. The second respondent forwarded the representation of the petitioner to the third respondent with direction to take appropriate action. Till date the third respondent has not taken any action.



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Hence, the petitioner has come before this court.

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4. Mr. A.Selvendran, learned Special Government Pleader, who takes notice for the respondents 1 to 3, on instructions, submitted that the petitioner failed to submit any documents in support of his claim over the property and if any document is submitted by the petitioner, the representation of the petitioner would be considered on its own merits and appropriate orders will be passed.

5. In view of the above submission made by the learned Special Government Pleader, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the petitioner to submit supporting documents in favour of his claim over the subject property before the third respondent within a period of two weeks from the date of receipt of a copy of this Order. The third respondent shall consider the same and pass final orders, on the representation of the petitioner dated 16.03.2023 on merits and in accordance with law, after affording reasonable opportunity to the petitioner and the fourth respondent and any other interested parties, within a period of eight weeks thereafter.



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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

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To

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Tiruvallore - 602 003.
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S.SOUNTHAR, J.

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