



WP.No.36441 of 2024

In the High Court of Judicature at Madras

Dated : 09.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.36441 of 2024

T.Susila

...Petitioner

Vs

1. The State of Tamil Nadu
Rep. by its Secretary to
Revenue Department
Fort St. George
Chennai 600 009.
2. The District Collector
Collector Office
Melmalaiyanoor
Villupuram District.
3. The Revenue Divisional Officer
Tindivanam, Villupuram District.
4. The District Registrar
Tindivanam.
5. The Sub Registrar
Valathi Village.
6. The Tahsildar
Taluk Office
Melmalaiyanoor
Villupuram District.
7. Sarkarai
8. Raghupathi

...Respondents



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PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd respondent to cancel Patta Nos.2105, 2138 and 2139 issued in favour of the respondents 7 & 8 after conducting due enquiry within the stipulated period based on the petitioner's representation dated 10.1.2024 in respect of the property comprised in S.Nos.235/1 admeasuring an extent of 0.30 cents and 224/1 admeasuring an extent of 0.30 cents respectively situated at Vallathi Village, Senji Taluk, Villupuram District.

For Petitioner : Ms.B.Sridevi
For R1 to R6 : Mr.A.Selvendran, SGP

ORDER

Head the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for respondents 1 to 6.

2. As could be seen from the said representation dated 10.1.2024, it has been given only to respondents 2 and 6. The second respondent, vide communication dated 31.1.2024 forwarded the said representation to the fifth respondent for further action. Even thereafter, nothing was forthcoming. The appropriate authority is the third respondent.



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3. It is also seen from the records that the petitioner's son gave a representation dated 28.9.2020 to the fourth respondent seeking to cancel the fraudulent document registered on his file, in which, though a notice for inquiry was issued to respondents 7 and 8 and also their father on three occasions for them to appear on 08.12.2020, 29.12.2020 and 27.1.2021, they have not chosen to appear.

4. Taking into consideration of the above, the writ petition is allowed and a direction is issued to the petitioner to forward a copy of the said representation dated 10.1.2024 to the third respondent within one week from the date of receipt of a copy of this order. On receipt of such representation, the third respondent shall consider the same and pass appropriate orders after hearing the petitioner and respondents 7 and 8 within a period of six weeks from the date of receipt of such representation. The third respondent is also directed to proceed further with the inquiry even if respondents 7 and 8 are not present before him. No costs.

RS

09.12.2024



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P.T.ASHA,J

RS

To

1. The Secretary to Revenue
Department, Fort St. George
Chennai 600 009.
2. The District Collector
Collector Office
Melmalaiyanoor
Villupuram District.
3. The Revenue Divisional Officer
Tindivanam, Villupuram District.
4. The District Registrar
Tindivanam.
5. The Sub Registrar
Valathi Village.
6. The Tahsildar, Taluk Office
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