



W.P.No.34874 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.34874 of 2024
and
W.M.P.No.37806 of 2024

Dhandapani

... Petitioner

Vs.

1. The District Collector,
Vengaikkal,
Thiruvannamalai.
2. The Revenue Division Officer,
Cheyyaru,
Thiruvannamalai District.
3. The Tahsildar,
Chetpet.
4. The Village Administrative Officer,
Melvillivanam Village.
5. Shobana.F.
6. Kuppan
7. Vinayagam
8. Senthilkumar



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9. Vijayakumar.

... Respondents

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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to cancel the Patta issued by the 3rd Respondent to the 6th Respondent vide Patta No.800.

For Petitioners : Mr.C.Suraj

For R1 to R4 : Mr.A.Selvendran
Special Government Pleader

ORDER

Mr.A.Selvendran, learned Special Government Pleader takes notice on behalf of the Official Respondents.

2. Challenging the issue of patta to the 6th Respondent by the 3rd Respondent, the Petitioner is before this Court. The challenge is on the ground that the Petitioner whose name is originally registered in Patta along with his brother pursuant to Partition Deed dated 10.12.2010 registered as Document No.3826 of 2010 on the file of Sub Registrar Office Chetpet, Tiruvannamalai District has not been put on notice before the Patta was mutated in the name of the 6th Respondent. Aggrieved by the same, the Petitioner is before this Court.



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3. A perusal of the records would indicate that prior to the issuance of Patta to the 6th Respondent no notice or enquiry has been held. Therefore, since the Impugned Order has been passed without notice to the Petitioner, the Writ Petition is allowed at the admission stage without issuing notice to the Respondents 5 to 9. The Patta issued by the 3rd Respondent to the 6th Respondent in Patta No.800 is cancelled and the matter is remitted back to the 3rd Respondent to consider afresh the request of the 6th Respondent for issue of Patta after issuing notice to the joint Pattadhara's including the Petitioner, receiving their objections and after giving them a personal hearing. The said exercise shall be completed within a period of two eight (8) weeks from the date of receipt of a copy of this Order. No costs. Consequently, connected Miscellaneous Petition is closed.

27.11.2024

Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation : Yes/No
rgm



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P.T.ASHA, J.

rgm

To

1. The District Collector,
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