



W.P.No.37383 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2024

CORAM

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

W.P.No.37383 of 2024

Chellaiah.M.

... Petitioner

Vs.

1. The District Collector,
Perambalur District,
Perambalur.

2. The Sub Collector,
Perambalur District,
Perambalur.

3. The Thasildar,
Veppanthattai Taluk,
Perambalur District.

4. Yogaraja

5. Devaraji

6. Subramaniyan

7. Neelavathi

8. Gurusamy

9. Andiyappan



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10. Athiyappan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the 3rd Respondent to consider the Petitioner sons's representation dated 14.09.2023 in the light of memorandum vide O.Mu.(A2)/5595/2023 dated 26.12.2023 on the file of the 2nd Respondent.

For Petitioner : M/s.K.Karuppaiya Mooppanar

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

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

2. This Writ Petition has been filed for a Mandamus to direct the 3rd Respondent to consider the Petitioner sons's representation dated 14.09.2023 in the light of memorandum vide O.Mu.(A2)/5595/2023 dated 26.12.2023 on the file of the 2nd Respondent.

3. It is the case of the Petitioner that the Petitioner and his family members have been residing in the property allotted by the Tamil Nadu Government in the year 1975. A total extent of 9 acres was allotted to the



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Petitioner and his grandfather and grandmother. The Petitioner and his grandfather were allotted 3 acres each in the lands comprised in Survey Nos.615 and 623 situated at Perambalur District, Veppanthattai Taluk, Malayalapatti. The Petitioner's grandmother was allotted the land comprised in Survey Nos.615 and 621 situated at Perambalur District, Veppanthattai Taluk, Malayalapatti. The Petitioner would submit that after the allotment of the lands in their favour they had been cultivating the same and had paid the revenue tax every year. The property was developed and turned into cultivable lands. In the year 1989, due to famine and unemployment the Petitioner's family had to leave Perambalur and worked as daily wagers in Ooty Tea Estate. The Petitioner's family members had fenced the allotted lands with thorny plants and they have been visiting the said lands to maintain the property. After the death of his grandfather and due to the age of the Petitioner's father, the Petitioner was unable to cultivate the lands. In the year 2018, when the Petitioner had visited the property they found that the Respondents 4 to 15 herein has been cultivating the lands and when the Petitioner enquired about the same, they had stated that they had been issued with Patta. This transfer of Patta has been done without notice to the Petitioner. The Petitioner would submit that his property has been transferred



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in the favour of Chellaiya and the Petitioner's father property has been transferred in the favour of Nilavathi and Loganathan and the Petitioner's grandfather property has been transferred in the name of Andiyappan and Mahalingam. The Petitioner had not continuously approached the revenue officials with all the records to prove their ownership but no action had been taken between 2019 to 2022 due to the Covid-19 pandemic. On 24.02.2022, the Petitioner had submitted a detailed representation, however, that has not been considered to date. Therefore, the Petitioner is before this Court.

4. Considering the very limited relief that is claimed in this Writ Petition, the Writ Petition is allowed by directing the 3rd Respondent to consider the Petitioner's sons representation dated 14.09.2023, and dispose of the same on merits after giving an opportunity of personal hearing to the Petitioner and perusing the objections and documents submitted by him and thereafter, pass a speaking order. The said exercise shall be completed within a period of two (2) months from the date of receipt of a copy of this Order. No costs.



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

To

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P.T.ASHA, J.

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