



WEB COPY



WP.No.37608 of 2024

In the High Court of Judicature at Madras

Dated : 16.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.37608 of 2024

K.Karnan

Vs

...Petitioner

- 1.The District Collector,
Collectorate Building,
Coimbatore-18.
- 2.The Commissioner, Office of
the Commissioner of Land
Administration, Ezhilagam,
Chepauk, Chennai-5.
- 3.The District Revenue Officer,
Coimbatore District.
- 4.The Revenue Divisional Officer,
Coimbatore North,
Kavundampalayam,
Coimbatore District-641030.
- 5.The Tahsildar, North Taluk
Office, Dr.Balasundram Road,
Coimbatore District-18.
- 6.The District Registrar,
Coimbatore South, 5th Floor,
Singapore Plaza Cross Cut
Road, Gandhipuram,
Coimbatore-12.

7.R.Chandru

8.V.Jagadheesan

...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 fifth respondent to conduct an inquiry to cancel the fraudulent patta and issue the patta by considering the representation of the petitioner dated 03.4.2024 in accordance with law to secure the ends of justice.

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

ORDER

Seeking a Mandamus to the fifth respondent to consider his representation dated 03.4.2024 for conducting an inquiry so as to cancel the fraudulent patta granted to respondents 7 and 8 and to issue a patta in his favour, the petitioner is before this Court.

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

3. The case of the petitioner is that the patta was fraudulently issued in favour of respondents 7 and 8. Hence, he sent a representation dated 03.4.2024 to respondents 1, 2, 4 and 5 seeking to cancel the fraudulent patta. Pursuant to that, vide proceedings dated 25.4.2024, the first respondent directed respondents 4 to 6 to



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conduct an inquiry. Further, vide communication dated 29.4.2024, the second respondent directed the third respondent to take further action on the said representation dated 03.4.2024. In turn, vide proceedings dated 11.6.2024, the third respondent directed the fourth respondent to take action on the said representation and to report compliance of the outcome. But, to date, none of the official respondents has taken any steps to conduct an inquiry on the said representation of the petitioner. Hence the writ petition.

4. Upon hearing the learned counsel on either side, considering the averments contained in the affidavit filed in support of the writ petition and upon perusing the documents, this Court is of the considered view that the fifth respondent ought to have taken steps to conduct an inquiry on the said representation at the earliest since the allegations of fraud have been made. However, the fifth respondent has dragged his feet and has not discharged the duty cast on him.

5. Accordingly, the writ petition is allowed and a Mandamus is issued to the fifth respondent to consider the petitioner's representation dated 03.4.2024 on merits. It is needless to point out that the fifth respondent shall issue notice to the petitioner as well as respondents 7 and 8 and after giving them an opportunity to present



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their respective case, pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order. No costs.

16.12.2024

To

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RS



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