



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.17200 of 2015

and

M.P. (MD) .No.1 of 2015

P.Raja Pandi

... Petitioner

Vs.

1.The District Collector,  
Madurai District, Madurai.

2.The Tahsildar,  
Usilampatti,  
Madurai District.

3.Rasuperiyakaruppan  
4.Karuthammal  
5.Muthupetchi  
6.Meenakshi

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned patta issued by the 2nd respondent in Patta No.4114 dated 03.07.2015 and quash the same as illegal and consequently restore the patta in the name of the petitioner as it existed in Patta No.3500 within the time that may be stipulated by this Honourable Court.

For Petitioner

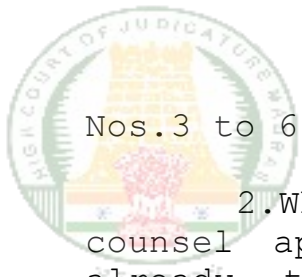
: Mr.M.Mahaboob Athiff for  
M/s.Ajmal Associates

For Respondents

: Mr.R.Anandharaj  
Govt. Advocate for RR-1 & 2  
Mr.Jeya Karthick  
for RR-3 to 6

### ORDER

The petitioner has filed this Writ Petition challenging the order passed by the second respondent/Tahsildar, Usilampatti, Madurai District, transferring patta in favour of the respondent



Nos.3 to 6.

2. When the matter is taken up for hearing, the learned counsel appearing for the respondents 3 to 6 submitted that already the petitioner made a complaint before the first respondent/District Collector, Madurai District, alleging certain complaints against the Village Administrative Officer, Karumathur, in respect of transfer of patta in favour of the respondents 3 to 6 and the same was transferred to the Revenue Divisional Officer, Usilampatti Division and on receipt of the same, the Revenue Divisional Officer also issued a notice of enquiry to the petitioner, asking him to appear for enquiry on 05.10.2015. Suppressing the same, the present writ petition has been filed.

3. The learned counsel for the petitioner submitted that he only made a complaint against the Village Administrative Officer, Karumathur before the District Collector, Madurai and that complaint was transferred to the Revenue Divisional Officer, Usilampatti Division, Madurai District and in that complaint, so far, no order has been passed.

4. Taking into consideration of the above submissions and the facts and circumstances of the case, since patta has been transferred in favour of the respondents 3 to 6, without conducting any enquiry whatsoever, the Revenue Divisional Officer, Usilampatti Division, Madurai District being the appellate authority, is directed to consider the application of the petitioner, regarding the transfer of patta in favour of the respondents 3 to 6 and pass orders, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. The petitioner is directed to raise his objection, with regard to transfer of patta in favour of the respondents 3 to 6. The Revenue Divisional Officer is also directed to give sufficient opportunity to the respondents 3 to 6 before passing the order.

5. With the above direction, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar



To

1.The Revenue Divisional Officer,  
Usilampatti Division,  
Madurai District.

2.The District Collector,  
Madurai District, Madurai.

3.The Tahsildar,  
Usilampatti,  
Madurai District.

+1 cc to M/S.AJMAL ASSOCIATES ADVOCATE IN SR.No. 61312

+1 cc to M/S.SPECIAL GOVT.PLEADER SR.NO. 61651

+1 cc to M/S.M.S.JEYAKARTHICK ADVOCATE SR.No. 62117

vs

CSL-SS2-SAR.1/08.11.2016-3P:7C

W.P (MD) No.17200 of 2015  
18.10.2016