



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.12.2016
CORAM :

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.23672 of 2016

and

W.M.P (MD) No.17003 of 2016

Rajaram

... Petitioner

Vs.

1.The District Revenue Officer,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Taluk Office,
Thirupuvanam,
Sivagangai District.

3.Tmt.A.Sajitha,
W/o Abdul Vageedhu,
rep. by her Power Agent,
S.Udayakumar,
S/o Sadasivam,
Saveriyarpattinam post,
Manamadurai Taluk,
Sivagangai District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order made in Pa.Mu.(P4) 18488/2014 dated 16.08.2016 on the file of the first respondent and quash the same as illegal and arbitrary and consequently, direct the first respondent herein to conduct a fair enquiry on this petitioner's application for issuance of patta to the property comprised in S.No.100 of Surakulam village, Manamadurai Taluk, Sivagangai District measuring to an extent of 12 acres 76 cents.

For Petitioner
For Respondent

: Mr.V.S.Kishok kumar
: Mr.C.Selvaraj
Spl. Govt. Pleader for R1 and R2

O R D E R

<https://hcservices.ecourts.gov.in/hcservices/>

This writ petition is filed challenging the order passed by the first respondent/District Revenue Officer, Sivagangai, dated



16.08.2016, wherein and whereby, the said authority rejected the petitioner's application seeking for cancellation of patta issued under UDR Scheme in favour of one Periannan, S/o Chinnakaruppan.

2. Perusal of the impugned order would show that the authority has considered the case of the petitioner as well as the rival claimants' contention and found that the petitioner has not impleaded the other legal heirs of his grandfather, while seeking the claim and that the petitioner has not established his claim with any documentary proof. Therefore, the first respondent rejected the application thereby directing the petitioner to approach the civil Court to establish his right, if any.

3. When such being the finding rendered by the first respondent, I do not find any reason to interfere with such order, as it is for the petitioner to approach the civil Court and establish his right, if any, under law.

4. Accordingly, the Writ Petition fails and the same is dismissed, however, with liberty to the petitioner to approach the civil Court as directed in the impugned order. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Deputy Registrar(J)

/True Copy/

Sub Assistant Registrar

To

1.The District Revenue Officer,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Taluk Office,
Thirupuvanam,
Sivagangai District.

+1cc to Mr.V.S.Kishok Kumar,Advocate Sr.No.79807
+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO.79851

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