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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 22.12.2016

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.24581 of 2016

Selvam

..Petitioner

Vs

1.The District Collector,
Theni District, Theni.

2.The Revenue Divisional Officer,
Periyakulam, Theni District.

3.The Tahsildar,
Andipatti Taluk,
Andipatti,
Theni District.

4.Ramaiah

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to cancel the patta No.5485 issued in favour of the fourth respondent in respect of the land in S.No.1062/3, Mayiladumparai Village, Andipatti Taluk, Theni District based on the recommendation of the third respondent in Na.Ka.No.4006/14/B1, dated09.2014.

For Petitioner : M/s.V.Sankaranarayanan

For Respondents : Mr.C.Selvaraj
1 to 3 Spl.Govt.Pleader

ORDER

The Petitioner seeks for a direction to the second respondent to cancel the patta No.5485 issued in favour of the fourth respondent in respect of the subject matter land.

2.Mr.C.Selvaraj, learned Special Government Pleader takes
<https://hservices.ecourts.gov.in/hservices/> notice for the respondents 1 to 3.



3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.The case of the Petitioner is that the third respondent has already made a recommendation to the second respondent for cancelling such patta. Needless to say that, it is for the second respondent to consider the claim of the Petitioner and pass orders on merits and in accordance with law, also after due opportunity to the fourth respondent herein.

5.Therefore, Considering the limited scope of the prayer sought for and without expressing any view on the merits of the claim made by the Petitioner, I only direct the second respondent to dispose of the proceedings pending before him in respect of patta No.5485 issued in favour of the fourth respondent for the land in S.No.1062/3, Mayiladumparai Village, Andipatti Taluk, Theni District and pass orders on the same, on merits and in accordance with law, also by hearing the fourth respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/
Deputy Registrar

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The District Collector, Theni District, Theni.
 - 2.The Revenue Divisional Officer, Periyakulam, Theni District.
 - 3.The Tahsildar, Andipatti Taluk, Andipatti, Theni District.
- +1cc to M/s.V.Sankaranarayanan, Advocate, in SR No.83229.
- +1cc to Special Government Pleader in SR.No.83182.

W.P (MD) No.24581 of 2016
22.12.2016

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