



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE **K. KALYANASUNDARAM**

W.P. (MD) No. 16001 of 2017

WEB COPY

S. Thiagarajan

... Petitioner

Vs.

1. The District Collector,
Tuticorin District,
Tuticorin.

2. The Revenue Divisional Officer,
Kovilpatti, Tuticorin District.

3. The Tahsildar,
Kovil Patti Taluk, Tuticorin District.

4. Ranji

5. Rajamani

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the representation dated 24.07.2017 submitted by the petitioner to cancel the joint patta No. 1353 issued by 3rd respondent in favour of respondents 4th and 5th in respect of land in S.No. 277/2 and 278/3, South Mylodai Village, Kovil Patti Taluk, Tuticorin District and to issue separate patta in favour of the petitioner within a time frame to be fixed by this Court.

For	Petitioner	: Mr. T. Chandrasekaran
For	R1 to R3	: Mr. C. Selvaraj, Special Government Pleader.

ORDER

This Writ Petition is filed seeking for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the representation dated 24.07.2017 submitted by the petitioner to cancel the joint patta No. 1353 issued by 3rd respondent in favour of respondents 4 and 5 in respect of land in S.No. 277/2 and 278/3 in South Mylodai Village, Kovilpatti Taluk, Tuticorin District and to issue separate patta in favour of the petitioner.

2. Mr. C. Selvaraj, learned Special Government Pleader takes notice of the consent of respondents 1 to 3. By consent, this writ petition is taken up for final disposal at the admission stage itself.



3. According to the petitioner, he is absolute owner of the agriculture land to an extent of 4.45 acres in Survey No.277/2 and 278/3 situated at South Mylodai Village, Kovilpatti Taluk, Tuticorin District. The said property was originally purchased by his mother one Muthammal in the year 1979. After her demise in the year 2006, the said land was devolved on the petitioner.

4. The petitioner would state that the respondents 4 and 5 did not have any right over the property, but their names were included in the patta. The petitioner would further state that his right has been confirmed by the Civil Court in O.S.No.186 of 2011. Hence, he gave a representation to the 2nd respondent on 24.07.2017 to rectify the mistake. Since no action was taken, the present writ petition.

5. In the light of the above facts, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 24.07.2017 and pass appropriate orders on merits and accordance in with law, after providing opportunity to all necessary parties, within a period of eight weeks from the date of receipt of copy of this order.

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

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector, Tuticorin District, Tuticorin.

2. The Revenue Divisional Officer, Kovilpatti, Tuticorin District.

3. The Tahsildar,
Kovil Patti Taluk, Tuticorin District.

+1cc to Special Government Pleader, SR.No. 74794

dss/skn

MAS/SV-MMS/SAR2:14.09.2017:2P-5C

W.P. (MD) No.16001 of 2017
24.08.2017