



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 19.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.23366 of 2017 and
WMP (MD) No.19640 of 2017

1.Dhasammal

2.Natarajan

3.Sherli

4.Sunil

... Petitioners

Vs.

1.The District Collector,
Nagercoil, Kanyakumari District.

2.The District Revenue Officer,
Nagercoil, Kanyakumari District.

3.The Revenue Divisional Officer,
Padmanabhapuram,
Thuckalay, Kanyakumari District.

4.The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

5.Arul Chrispher
S/o.Kurusumuthu, Kalpavilai,
Thottavaram, Moovattumuugam Post,
Kanyakumari District

... Respondents

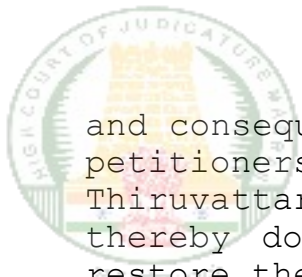
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus to call for the records pertaining to the impugned proceedings in Na.Ka.No.M4/2736/2015, dated 02.11.2017 passed by the 2nd respondent and quash the same as illegal and consequently direct the respondents to re-enter the names of the petitioners in the patta pass book in Patta No.3147 and 8543 of Thiruvattar Village, Kalkulam Taluk, Kanyakumari District and thereby do necessary corrections in the revenue records and thus restore the previous position of patta pass book.

For Petitioner : Mr.C.Kishore

For Respondents 1 to 4 : Mr.M.Alagathevan,
Special Government Pleader

ORDER

This writ petition has been filed, seeking a writ of
<https://hcservices.ecourts.gov.in/hcservices/> Certiorarified Mandamus to quash the proceedings in
Na.Ka.No.M4/2736/2015, dated 02.11.2017 passed by the 2nd respondent



and consequently direct the respondents to re-enter the names of the petitioners in the patta pass book in Patta No.3147 and 8543 of Thiruvattar Village, Kalkulam Taluk, Kanyakumari District and thereby do necessary corrections in the revenue records and thus restore the previous position of patta pass book.

2. Heard both sides.

3. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel for the petitioners would submit that after several rounds of litigation, before the Courts concerned, the petitioners have been in possession and enjoyment of the lands in dispute and patta was also issued in their favour, but, the name of the 5th respondent's father was wrongly entered in the revenue records in respect of the said lands and after some rounds of litigation before the authorities concerned, the patta issued in their favour was cancelled by the second respondent by proceedings in Na.Ka.No.M4/2736/2015, dated 02.11.2017 with a direction to the parties to approach the competent Civil Court within a period of 30 days to establish their rights over the properties. Challenging the same, the petitioners are before this Court.

5. Though several grounds were raised by the petitioners in the writ petition, now they submitted that against the impugned proceedings in Na.Ka.No.M4/2736/2015, dated 02.11.2017, passed by the second respondent, they are intending to file a suit before the competent civil Court within a period of 30 days and prayed accordingly.

6. In view of the above submissions, the writ petition is disposed of, leaving it open to the petitioners to approach the competent civil Court, within a period of thirty days from the date of receipt of a copy of this order, if they so required. Till such time *status quo* to be maintained by the respective parties. No costs. Consequently, WMP(MD)No.19640 of 2017 is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector, Nagercoil, Kanyakumari District.

2. The District Revenue Officer,
Nagercoil, Kanyakumari District.

3. The Revenue Divisional Officer, Padmanabhapuram,
Thuckalay, Kanyakumari District.

4. The Tahsildar, Kalkulam Taluk, Kanyakumari District.

+One cc to M/s.C.Kishore, Advocate, SR.No.93628

+One cc to The Special Government Pleader, SR.No.93844

dsk

RL/7C/2P/KK/SAR1/5/1/2018

ORDER MADE IN

W.P (MD) No.23366 of 2017

19.12.2017