



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.01.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.585 of 2017

S.Subramanian

... Petitioner

Vs.

1. The District Revenue Officer,
Tuticorin District,
Tuticorin.
2. The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District,
3. The Tahsildhar,
Ottapidaram Taluk,
Tuticorin District,
4. T.Manoharan
5. N.Alagulingam

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents 1 and 2 to consider the representation/appeal petition submitted by the Petitioner to cancel the patta No.1435 granted in favour of Respondents 4 and 5 in respect of land in S.No.131B/2A3 and 130B/2A in Osanuthoor Village, Kulasekaranallur Post, Ottapidaram Taluk, Tuticorin District, respectively representation submitted by the petitioner, dated 05.10.2016 and to restore the patta and issue separate patta in the name of the Petitioner, within a time frame to be fixed by this Hon'ble Court.

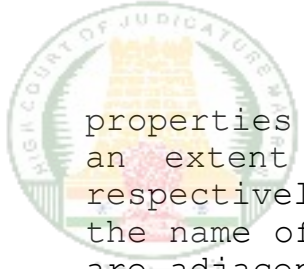
For Petitioner : Mr. G.Sankaran
For R1 to R3 : Mr. T.S.Mohamed Mohideen
(Additional Government Pleader)

O R D E R

Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondents 1 to 3.

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2. The case of the petitioner is that by way of partition deed dated 25.09.2008, the petitioner claims to be the owner of the



properties comprised in Survey No.131B/2A3 and 130B/2A, measuring to an extent of 7 acres and 62 cents and 1 acre and 8 cents respectively. According to the petitioner, patta No.229 stands in the name of his father. Since the fourth and fifth respondents, who are adjacent owners have also obtained patta with regard to the same subject lands, the petitioner has given a representation to the second respondent on 25.07.2016 seeking for cancellation of patta standing in the name of the fourth and fifth respondents. Since the representation was not considered by the respondents, the present writ petition has been filed.

3. In view of the limited prayer sought for in this writ petition, without going into the merits of the case, the second respondent is directed to consider the petitioner's representation dated 25.07.2016 and pass orders, after conducting due enquiry as contemplated under the Tamil Nadu Patta Passbook Act and by giving prior notice to the respondents 4 and 5 as well as to any other person, who may be interested in the subject property. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The District Revenue Officer,
Tuticorin District,
Tuticorin.
2. The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District,
3. The Tahsildhar,
Ottapidaram Taluk,
Tuticorin District,

- + 1 CC TO Mr.T.CHANDRASEKARAN, ADVOCATE IN SR No. 2481
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 2786

PM

TE/MR-VB : 02/02/2017 : 2P/6C

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