



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.14161 of 2019

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P.Santhi

... Petitioner

-Vs-

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Othakadai, Madurai.

2.The Tahsildar,
Madurai East Taluk,
Tahsildar Office,
Othakadai, Madurai.

3.Gowri

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 1st and 2nd respondent to cancel a patta from the 3rd respondent herein and property in Survey No.751/3 situated at Vandiyur 1st pit, Madurai East Taluk, Madurai.

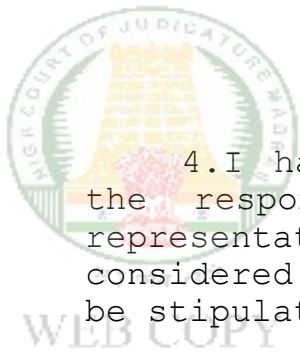
For Petitioner	: Mr.T.Karthigai Deeba
For Respondents	: Mr.M.Murugan, G.A. For RR1 and 2
For R3	:Notice Disposed with

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 1st and 2nd respondent to cancel a patta from the 3rd respondent herein and property in Survey No.751/3 situated at Vandiyur 1st pit, Madurai East Taluk, Madurai.

2.Heard Ms.T.Karthigai Deeba, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate appearing for the respondents 1 and 2. Since no adverse order is going to be passed against the 3rd respondent, notice to her is hereby dispensed with.

3.As against the wrong issuance of patta in respect of the land in Survey No.751/3 situated at Vandiyur 1st pit, Madurai East Taluk, Madurai, the petitioner preferred a representation by way of appeal to the 1st respondent on 30.04.2019 and in this regard, the learned counsel appearing for the petitioner contended that, if the same is decided on merits and in accordance with law, the petitioner would be satisfied.



4.I have heard the learned Government Advocate appearing for the respondents 1 and 2, who would submit that, the said representation of the petitioner dated 30.04.2019 would be considered by the 1st respondent, on merits, within a time frame to be stipulated by this Court.

5.Having considered the said submission made by the learned counsel for both the parties and taking into account the innocuous prayer sought for in this writ petition , this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the admission stage itself, with the following direction:

"The 1st respondent is hereby directed to consider the representation of the petitioner dated 30.04.2019 treating it as appeal under Section 12 of the Patta Pass Book Act and pass orders thereon, on merits and in accordance with law, of course, by giving opportunity of being heard to both the petitioner as well as the 3rd respondent, within a period of twelve weeks from the date of receipt of a copy of this order."

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

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Othakadai, Madurai.

2.The Tahsildar,
Madurai East Taluk,
Tahsildar Office,
Othakadai, Madurai.

+1 CC to M/s.P.SUBBARAJ, Advocate SR-71089.
+1 CC to SPL GP SR-71466.

Order made in
W.P. (MD) No.14161 of 2019

Dated:
25.06.2019



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