



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.15125 of 2019

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... Petitioner

-Vs-

1.The District Revenue Officer,
Thoothukudi District,
Thoothukudi.

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

3.The Tahsildar,
Tahsildar Office,
Ottapidaram Taluk,
Thoothukudi District.

4.S.Balakrishnan

5.B.Nirmalshing

6.Rev.Fther,
St.Michael Church,
Kombadi Village,
Ottapidaram Taluk,
Thoothukudi District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 1 and 2 to consider the representation / appeal petition dated 10.04.2019 submitted by the petitioner to cancel the patta granted in favour of Respondents 4, 5 and 6 in respect of land in S.No.202/2, 206/1, 206/2 and S.No.149/2B in Savarimangalam Village, Ottapidaram Taluk, Thoothukudi District respectively and to restore the patta in the name of the petitioner father and issue separate patta in the name of the petitioner within a time frame to be fixed by this court.

For Petitioner : Mr.T.Chandrasekaran

For Respondents : Mr.M.Rajarajan, G.A. For RR1 to 3

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation / appeal petition dated 10.04.2019 submitted by the petitioner to cancel the patta granted in favour of Respondents 4, 5 and 6 in



respect of land in S.No.202/2, 206/1, 206/2 and S.No.149/2B in Savarimangalam Village, Ottapidaram Taluk, Thoothukudi District respectively and to restore the patta in the name of the petitioner father and issue separate patta in the name of the petitioner within a time frame to be fixed by this court.

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2.Heard Mr.T.Chandrasekaran, learned counsel appearing for the petitioner and Mr.M.Rajrajan, learned Government Advocate appearing for the respondents 1 to 3. Since no adverse order is going to be passed against the respondents 4 to 6, notice to them is dispensed with.

3.With the consent of both sides, this writ petition is disposed of at the admission stage itself.

4.The petitioner, in order to rectify the patta allegedly given in favour of the private respondents in mistake with regard to the issuance of the patta in S.No.202/2, 206/1, 206/2 and S.No.149/2B in Savarimangalam Village, Ottapidaram Taluk, Thoothukudi District respectively, has given an appeal to the 2nd respondent on 10.04.2019 and the learned counsel appearing for the petitioner wants a direction to the 2nd respondent to decide the appeal on merits and pass orders thereon, within a time frame.

5.I have heard the learned Government Advocate appearing for the respondents 1 to 3, who would submit that, the 2nd respondent will consider the said representation by way of appeal dated 10.04.2019 and orders would be passed thereon, on merits, within a time frame.

6.Considering the limited scope of the prayer in this writ petition, this Court is inclined to dispose of this writ petition with the following direction:

"There shall be a direction to the 2nd respondent to consider the representation of the petitioner dated 10.04.2019 and pass orders, thereon, on merits and in accordance with law, after giving opportunity of being heard to the respondents 4 to 6, within a period of six weeks from the date of receipt of a copy of this order."

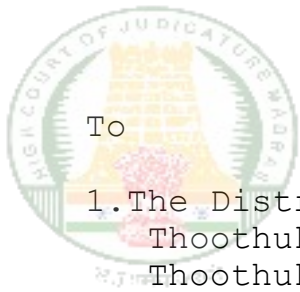
7.With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)



To

1.The District Revenue Officer,
Thoothukudi District,
Thoothukudi.

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

3.The Tahsildar,
Tahsildar Office,
Ottapidaram Taluk,
Thoothukudi District.

+1 CC to M/s.T.CHANDRA SEKAR, Advocate SR-73612.

+1 CC to SPL GP SR-73930.

Order made in
W.P. (MD) No.15125 of 2019

Dated:

05.07.2019

CS/ /SAR/16.07.2019/ 3P/ 6C