



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.6227 of 2019

N.Rakkupillai

... Petitioner

Vs

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

3.The Tahsildar,
Madurai West Taluk,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to measure the property and fix the boundary of the Plot No.39 in S.No.98/6 situate at Melakuyilkudi Village, Nagamalai Pudukkottai, Madurai West Taluk, Madurai-625 019 and put the petitioner in possession of the same as per Patta Issued in the month of December 2011 in favour of the petitioner.

For Petitioner

:Mr.K.Suresh Kumar

For Respondents

: Mr.M.Rajarajan

Government Advocate

ORDER

The petitioner's request for measurement and fixation of the petition mentioned property on the basis of his patta cannot be granted because, the patta itself has been cancelled. That is the stand taken by the respondents.

2.This Court posed a question to the learned Government Advocate as to whether the cancellation order was communicated to the writ petitioner. The answer is in the negative.

3.Therefore, this Court directs the respondents to hand over a copy of the order cancelling the petitioner's patta. It is open to the petitioner to question the same in the manner known to law. This Court makes it clear that the petitioner's rights have not been adjudicated. This writ petition is closed only because of the stand taken by the respondent.



4. With this liberty to challenge the cancellation order, this writ petition is closed. No costs.

Sd/-

Assistant Registrar(CS-III)

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/TRUE COPY/

Sub Assistant Registrar(CS)

To

1. The District Collector,
Madurai District.

2. The Revenue Divisional Officer,
Usilampatti,
Madurai District.

3. The Tahsildar,
Madurai West Taluk,
Madurai District.

+1 CC to M/s.SPL GP (SR-61632[F] dated 22/04/2019)

+1 CC to M/s.K.SURESH KUMAR, Advocate(SR-61956[F] dated
23/04/2019)

W.P. (MD) No. 6227 of 2019

CS (KM) : 09/05/2019/2P/6C