



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2019

CORAM:

THE HONOURABLE Mr.JUSTICE R.SURESH KUMAR

W.P. (MD) No.18170 of 2019

S.Prabhu

... Petitioner

Vs.

1.The District Collector,
Madurai District Collector Office,
Madurai 625 020.

2.The District Revenue Officer,
Madurai District Collector Office Campus,
Madurai 625 020.

3.The Revenue Divisional Officer,
Madurai District Collector Office Campus,
Madurai 625 020.

4.The Tahsildar,
Madurai West Tahsildar Office,
Fenner Colony, Theni Road,
Virattipathu,
Madurai 625 014.

5.Panaiyammal

... Respondents

Prayer: The petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 4 to cancel the patta No.2402 stands in the name of the 5th respondent and to issue the joint patta based on the petitioner's application dated 13.02.2019, within the time stipulated by this Court.

For Petitioner : Mr.B.Sukumar

For Respondents : Mr.P.Kannithevan, AGP for R1 to R4

ORDER

The prayer sought for in this Writ petition is for a Writ of Mandamus, directing the respondents 2 to 4 to cancel the patta No.2402 stands in the name of the 5th respondent and to issue the joint patta based on the petitioner's application dated 13.02.2019, within a time frame.

2.Heard Mr.B.Sukumar, learned counsel for the petitioner and Mr.P.Kannithevan, learned Additional Government Pleader appearing for the respondents 1 to 4. Since no adverse orders going to be passed against the 5th respondent, notice to the 5th respondent is



dispensed with.

3.The petitioner, in order to rectify the patta and cancel the same in patta No.2402 stands in the name of the 5th respondent and to issue joint patta, had given a representation on 13.02.2019 to the 2nd respondent. Hence, the learned counsel appearing for the petitioner submits that if the said representation is decided by the 2nd respondent on merits after hearing both sides, within a time frame to be stipulated by this Court, the petitioner would be satisfied.

4.Heard the learned Additional Government Pleader appearing for the respondents 1 to 4, who would submit that the said representation of the petitioner would be decided by the 2nd respondent on merits within a time frame to be stipulated by this Court after hearing both sides.

5.Considering the limited scope of the prayer sought for herein, this Court is inclined to dispose of the Writ petition with the following direction:
That the 2nd respondent is hereby directed to consider the representation of the petitioner dated 13.02.2019 and decide the same on merits and in accordance with law after giving reasonable opportunity of being heard to both the petitioner as well as the 5th respondent by sending them separate notices and pass final order thereon, within a period of 8 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(CO)

// True Copy //

Sub Assistant Registrar(CS)

nbg

To

1.The District Collector,
Madurai District Collector Office,
Maurai 625 020.

2.The District Revenue Officer,
Madurai District Collector Office Campus,
Madurai 625 020.



3.The Revenue Divisional Officer,
Madurai District Collector Office Campus,
Madurai 625 020.

4.The Tahsildar,
Madurai West Tahsildar Office,
Fenner Colony, Theni Road,
Virattipathu,
Madurai 625 014.

+1CC TO MR.B.SUKUMAR, Advocate Sr. No. 83615

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TR(19.11.2019) 3P 6C