



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.18232 of 2019

WEB COPY

Senthurpandi

... Petitioner

-Vs-

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

2.The Sub Divisional Magistrate/Sub Collector,
Thoothukudi,
Thoothukudi District.

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

4.G.Durai Paranjothi

5.Florence Gnanasenthil

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to cancel the patta issued to the respondents 4 and 5 as patta No.2720 and 2880 during UDR Scheme in S.No.82/2A1B, situated at Mullakkadu Part-I, Village, Thoothukudi and consequently, issue patta for the above said land to petitioner's family.

For Petitioner : Mr.R.Murugappan
For Respondents : Mr.C.M.Mari Chelliah Prabhu
(for R1 to R3)
Additional Government Pleader

ORDER

The prayer sought for in this writ petition is to direct the first respondent to cancel the patta issued in favour of the respondents 4 and 5 as patta Nos.2720 and 2880 during UDR Scheme in S.No.82/2A1B, situated at Mullakkadu Part-I, Village, Thoothukudi and consequently, issue patta for the above said land to the petitioner's family.



2.Heard Mr.R.Murugappan, learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents 1 to 3. Since no adverse order is going to be passed against the respondents 4 and 5, notice to them is dispensed with.

3.With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

4. In respect of the land at Survey No.82/2A1B to the extent of 58 cents, which allegedly belongs to the petitioner, as claimed by him, the petitioner had given a representation on 14.09.2018 to the first respondent, as the respondents 4 and 5 allegedly obtained patta during UDR survey in their name and therefore, the learned counsel appearing for the petitioner submits that, if the said representation given by the petitioner to the first respondent is decided on merits, after hearing both sides, within a time, the petitioner would be satisfied.

5.I have heard Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents 1 to 3, who would submit that, the said representation of the petitioner, dated 14.09.2018 would be decided by the first respondent, within a time frame to be stipulated by this Court.

6.Having regard to the said submissions made by both sides, this Court is inclined to dispose of this writ petition with the following directions:-

"that the first respondent is hereby directed to consider the representation of the petitioner, dated 14.09.2018, of course, after hearing the petitioner as well as the private respondents by sending them separate notices and decide the issue raised thereon, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order."

7.With the above directions, the Writ Petition is disposed of. No costs.

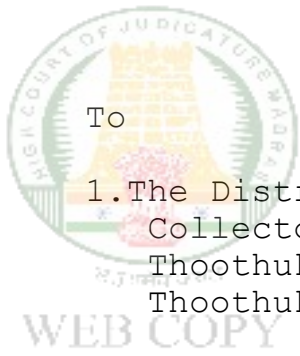
Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

rmk



To

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

2.The Sub Divisional Magistrate/Sub Collector,
Thoothukudi,
Thoothukudi District.

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

+1 CC to M/s.R.MURUGAPPAN, Advocate SR-83237.

+1 CC to SPL GP SR-83341.

W.P. (MD) No.18232 of 2019

CS (15.11.2019) 3P 6C