



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.19237 of 2019

Raja Mannar

... Petitioner

-vs-

1.The District Collector,
Virudhunagar District,
Collectorate Complex, Virudhunagar.

2.The Revenue Divisional Officer,
Satchiyapuram, Sivakasi.

3.The Tahsildar,
Sivakasi Taluk,
Satchiapuram, Sivakasi.

4.Naga Prabhu

5.Manraj

6.Kavitha

7.Ramuthai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the Respondents 1 to 3 herein to cancel the Pattas allotted in the name of the Respondents 4, 5, 6 and 7 after due enquiry in respect of Survey Numbers 1113/8, 1113/9, 1113/10 and 1113/11 of Kotheneri Village, Sivakasi Taluk and allot the same to the land less poor of the same village.

For Petitioner	:	Mrs.Lakshmi Gopinathan
For Respondents 1 to 3	:	Mr.A.Muthukaruppan Additional Government Pleader

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mrs.Lakshmi Gopinathan, learned counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3. In



the light of the order we propose to pass, notice to respondents 4 to 7 is dispensed with.

2. With the consent of either side, the Writ Petition itself is taken up for final disposal.

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3. The petitioner's grievance is that inspite of the representation given by the petitioner to cancel the patta granted to the private respondents, alleging that they are not landless poor, no action has been initiated. In this regard, the learned counsel appearing for the petitioner invited the attention of this Court to the proceedings of the District Collector, Virudhunagar District dated 10.12.2018, wherein a direction has been issued to the Revenue Divisional Officer, Sivakasi to enquire into the matter and inspite of lapse of more than an year, nothing has happened.

4. The learned Additional Government Pleader appearing for the respondents 1 to 3 on oral instructions from the authorities submitted that patta has been granted to the private respondents not on the ground of landless poor, but since the land is classified as Natham and they are in occupation.

5. In any event enquiry is required to be conducted and the petitioner has to be intimated as to what action has been taken on his representation. We therefore, direct the third respondent to conduct an enquiry, after issuing notice to the respondents 4 to 7 and pass a speaking order and communicate the decision taken to the petitioner within three weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar

To

1. The District Collector,
Virudhunagar District,
Collectorate Complex,
Virudhunagar.

2. The Revenue Divisional Officer,
Satchiyapuram,

<https://hcservices.gov.in/hcservices/>



3.The Tahsildar,
Sivakasi Taluk,
Satchiapuram,
Sivakasi.

+1 CC to M/s.POLAX LEGALSOLUTIONS, Advocate (SR-85094[F] dated
04/09/2019)

+1 CC to M/s.SPL GP (SR-85306[F] dated 05/09/2019)

W.P. (MD) No.19237 of 2019
04.09.2019

SJ

MS/24.09.2019/3P.6C