



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.10.2019
CORAM:

THE HONOURABLE MR. JUSTICE M. SUNDAR

W.P(MD)No.22424 of 2019
and
W.M.P.(MD)No.19214 of 2019

Rajasekar ... Petitioner
Vs.

1. The District Collector,
Madurai District, Madurai.
2. The Revenue Divisional Officer,
O/o the Revenue Divisional Office,
Thirumangalam, Madurai District.
3. The Tahsildar,
Thirumangalam Taluk,
Madurai District.
4. The Deputy Superintendent of Police,
Thirumangalam Sub Division,
Thirumangalam, Madurai District.
5. Saraswathi ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent herein to cancel the Patta No.3107 issued in favour of the fifth respondent for the property Survey Nos.110/6A1A, 110/6A1C situated at Kappalur, Thirumangalam Taluk, Madurai District, by restoring the patta bearing No.700 on the basis of the petitioner's representation dated 18.07.2019 within time frame as fixed by this Court.

For Petitioner : Mr.G.Ramanathan
for Mr.R.Aravindan
For Respondents : Mr.B.Bhagawathi
Government Advocate
for R.1 to R.4

ORDER

Mr.G.Ramanathan, representing Counsel on record for writ petitioner and Mr.B.Bhagawathi, learned Government, who accepts
<https://hcservices.ecourts.gov.in/hcservices/>

RIGHT THAT
IS NOT AD

3. Statistical analysis

4. If

as follow

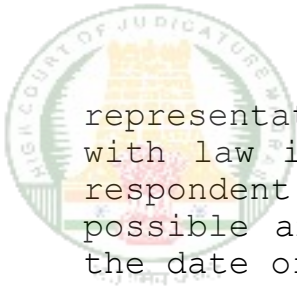
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7. Any change in the entries in the patta necessarily entitles prior notice to persons in whose names patta originally stood. In the instant case, it is the case of writ petitioner that after demise of his grandfather Mayandi Thevar, said lands devolved upon writ petitioner.

8. Without expressing any opinion on the merits of the matter and without expressing any view on the claim of writ petitioner that the said lands devolved upon writ petitioner, the third respondent is directed to consider petitioner's representation dated 18.07.2019 on its own merits and in accordance with law, after giving notice and reasonable opportunity to writ petitioner, fifth respondent, all concerned and dispose of the same. To be noted, as alluded supra, this order disposing of the writ petition is not adverse to the rights of the fifth respondent as mentioned supra. In this context, it is made clear that directing the third respondent to put *inter alia* fifth respondent on notice and give reasonable opportunity to fifth respondent before disposing of writ petitioner's



representation dated 18.07.2019 on its own merits and in accordance with law is a safety valve / safety mechanism qua rights of fifth respondent. This exercise shall be completed as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

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9. Writ Petition stands disposed of with the above directions. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Revenue Divisional Officer,
O/o the Revenue Divisional Office,
Thirumangalam,
Madurai District.
- 3.The Tahsildar,
Thirumangalam Taluk,
Madurai District.
- 4.The Deputy Superintendent of Police,
Thirumangalam Sub Division,
Thirumangalam,
Madurai District.

+1 CC to Mr.R.ARAVINDAN, Advocate (SR-93816[F] dated 23/10/2019)

W.P(MD)No.22424 of 2019
23.10.2019

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MK (05.11.2019) 4P 6C