



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.06.2020

CORAM:

THE HONOURABLE JUSTICE C.V.KARTHIKEYAN

W.P. (MD)No.6703 of 2020

WEB COPY

Rajeshwari

... Petitioner

Vs.

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

2.The Revenue Divisional Officer,
Sattur, Virudhunagar District.

3.The Tahsildar,
Vembakottai,
Virudhunagar District.

4.Katthalingam

5.The District Revenue Officer,
Virudhunagar District.

(R5 is suo-motu impleaded as per order of this
Court, dated 12.06.2020)

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to consider the representation of the petitioner dated 20.05.2020 and to cancel the patta in the name of the fourth respondent within a time frame as may be fixed by this Court.

For Petitioner : Mrs.P.Jessi Jeeva Priya

For Respondents 1 to 3 & 5 : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

Mr.K.Mu.Muthu, learned Additional Government Pleader, takes notice on behalf of the respondents 1 to 3 & 5.

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2. In the affidavit filed in support of the writ petition, the petitioner has stated that the property in old Survey No.115/3 in New Survey No.115/21 to an extent of 2 acre 72 cents in Vijayakariskulam Village, Virudhunagar District, was in possession and enjoyment of one Guruvammal, who is the paternal Grandmother of the petitioner. Thereafter various sale deeds had been effected to various persons and the remaining portion was in enjoyment of said Guruvammal and the mother of the petitioner namely, Samuthiram. A suit was also filed in O.S.No.178 of 2009 by the father of the 4th respondent by name, K.Veerassamy. There seems to be a long history with respect to title of the property. Finally during UDR scheme, patta was transferred in the name of K.Veerassamy, who is the father of the 4th respondent. The petitioner had given a representation dated 20.05.2020 questioning such transfer. This is an issue, the writ Court can never decide since it would require to examine title deeds and the revenue records and also to hear the 4th respondent.

3.It is represented by the learned Additional Government Pleader that the District Revenue Officer, Virudhunagar District is a competent authority, who can examine the issue raised by the petitioner. Therefore, the District Revenue Officer, Virudhunagar District is suo-motu impleaded as 5th respondent in the writ petition. Registry is directed to carry out necessary amendment in the cause title.

4.Therefore, a direction is issued to the District Revenue Officer, Virudhunagar District, to examine the representation given by the petitioner, issue notice to the petitioner and the 4th respondent and also to any other person who is interested and examine the relevant documents and thereafter, pass necessary orders on the representation of the petitioner dated 20.05.2020, as expeditiously as possible. The outer time limit is not given, since the Additional Government Pleader stated that in view of the present lock down owing to COVID-19 pandemic, the revenue officials are engaged in other works.

5. With the above observations, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (Records)

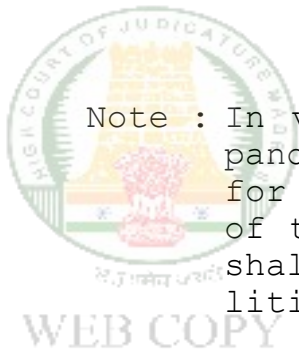
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/ /2020

Sub Assistant Registrar(CS)

Rm

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

- 1.The District Collector,
Collectorate Office,
Virudhunagar District, Virudhunagar.
- 2.The Revenue Divisional Officer,
Sattur, Virudhunagar District.
- 3.The Tahsildar,
Vembakottai,
Virudhunagar District.
- 4.The District Revenue Officer,
Virudhunagar District, Virudhunagar.

Order made in
W.P. (MD)No.6703 of 2020
Dated:12.06.2020

AP(18/06/2020) 3P 5C