



WEB COPY

W.P(MD)No.7356 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

W.P(MD)No.7356 of 2020

and

WMP(MD).No. 6804 of 2020

K. Ramanathan

... Petitioner

Vs.

1. The District Collector,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Devakottai Taluk, Devakottai, Sivagangai District.

3.Soman

4.Lakshmanan

5.Sundari

6.Rajalakshmi

7.Radhakrishnan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to direct the 2nd respondent to cancel the Patta No.1441 in the name of the 6th respondent in respect of properties in Survey NO.60/1A and 61/3 of Perattukottai Village, Devakottai Taluk, Sivagangai District, consequently, direct the 2nd respondent not to issue patta to 7th respondent based on the bogus sale deed dated 13.03.2020 in document No.1080/2020 on the basis of the Patta No.1441, by considering petitioner's representation dated 20.06.2020, within the period stipulated by this Court.

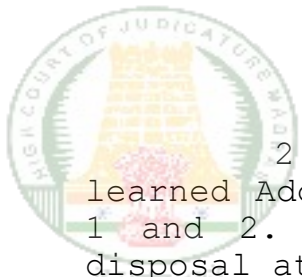
For Petitioner : Mr. A. Haja Mohideen

For respondents : Mr. M. Pandiyarajan

1 & 2 Additional Government Pleader

ORDER

This writ petition is filed seeking a Writ of Mandamus directing the first respondent to cancel the Patta No.1441 in the name of the 6th respondent in respect of properties in Survey No.60/1A and 61/3 of Perattukottai Village, Devakottai Taluk, Sivagangai District and consequently, direct the 2nd respondent not to issue patta to 7th respondent, based on the bogus sale deed, dated 13.03.2020 in document No.1080/2020 on the basis of the Patta No.1441, by considering petitioner's representation, dated 20.06.2020, within the time stipulated by this Court.



2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

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3. According to the petitioner, he has made an application dated 20.06.2020 to the first respondent to cancel the Patta No.1441 granted in favour of the 6th respondent in respect of the properties in Survey Nos.60/1A and 61/3, situated at Perattukottai Village, Devakottai Taluk, Sivagangai District. Since the said Patta was granted in favour of the 6th respondent, without issuing any notice to him, he has made the said application to the first respondent, but, the same is still pending without any progress. Hence, he has filed the present Writ Petition before this Court for the relief stated above.

4. The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that if the petitioner is being aggrieved by the order of the second respondent / Tahsildar, he has to approach the Revenue Divisional Officer for appropriate relief.

5. The learned counsel appearing for the petitioner fairly submitted before this Court that the petitioner has made an application before the first respondent on 20.06.2020 instead of approaching before the appellate authority viz., Revenue Divisional Officer, Devakottai, for cancellation of patta granted in favour of the 6th respondent.

6. In view of the said submission made by the learned counsel for the petitioner, this Writ Petition is dismissed. However, the petitioner is given liberty to approach the authority concerned for appropriate relief for cancellation of said patta in accordance with the provisions of the Act. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Devakottai Taluk,
Devakottai,
Sivagangai District.

W.P (MD) No.7356 of 2020 and
WMP (MD) .No. 6804 of 2020
07.07.2020

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