



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :14.09.2020
CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WEB COPY

W.P. (MD) No.11584 of 2020
and
W.M.P. (MD) No.10094 of 2020

Manoharan

...Petitioner

Vs

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to forbear the respondents from cancelling the House site Patta issued to petitioner in Natham Survey No.457/8 to the extent of 97 Sq.Mt. of Tharikomban Village, Radhapuli Village Group, Paramakudi Taluk, Ramanathapuram District.

For Petitioner	: Mr.V.Kannan
For Respondents	: Mr.C.Ramesh Special Government Pleader

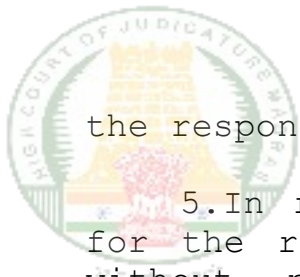
ORDER

This Writ Petition is filed to forbear the respondents from cancelling the house site patta issued in favour of the petitioner in respect of the petition mentioned property situated at Tharikomban Village, Radhapuli Village Group, Paramakudi Taluk, Ramanathapuram District.

2.By consent, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.It is the case of the petitioner that the 2nd respondent, by proceedings dated 06.08.2018, had issued patta to him for the petition mentioned property. Based on the complaint given by some of the rival parties, the respondents are trying to cancel the aforesaid patta. Hence, the petitioner is before this Court.

4.The learned counsel appearing for the petitioner would submit that without providing any opportunity to the petitioner,



the respondents are trying to cancel the said patta.

5.In reply, the learned Special Government Pleader appearing for the respondents would submit that on the apprehension that without providing any opportunity to the petitioner, the respondents may cancel the patta issued in favour of him for the petition mentioned property. He would further submit that if there is any violation in the order passed by the 2nd respondent dated 06.08.2018, after providing opportunity to the petitioner, the respondents will take necessary steps to proceed with the matter. Therefore, at this juncture, the relief sought for by the petitioner is not maintainable and the same is liable to be rejected as not maintainable.

6.In view of the submission made by the learned Special Government Pleader, this writ petition cannot be maintainable and the same is liable to be rejected on the ground that the petitioner has approached this Court at a premature stage. Accordingly, this Writ Petition is dismissed as not maintainable. However, it is open to the petitioner to workout his remedy at a later stage, if necessary. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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,
Ramanathapuram District, Ramanathapuram.

2.The Tahsildar, Paramakudi Taluk,
Ramanathapuram District.

+1 CC to M/s.GP (SR-16933[F] dated 15/09/2020)

W.P. (MD) No.11584 of 2020

14.09.2020

SCR(CO)

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