



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2020

CORAM:

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

W.P.(MD)No.12289 of 2020

and

W.M.P(MD) .No.10538 of 2020

Mela Veeranjatti Urani Karpaga Vinayagar Kovil Trust,
Rep by its Trustee R.M.Kannan
Mela Urani Road, Karaikudi,
Sivagangai.

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Karaikudi Taluk,
Sivagangai.

3.L.Nachiappan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to consider the objection and representation dated 03.09.2020 of the petitioner in respect of issuance of revenue patta to an extent of 10 acres situated in S.No.65/1 at Kalanivasal Village, Karaikudi Taluk, Sivagangai District on the basis of settlement patta dated 18.10.1983 and as well as reject the request of the third respondent for issuance of patta for the same within the time fixed by this Court.

For Petitioner : Mr.H.Arumugam

For R1 and R2 : Mr.P.Kannidevan
Additional Government Pleader

For R3 : Mr.V.R.Shanmuganathan
for M/s.AL.Kannan



ORDER

This writ petition is filed to direct the second respondent to consider the objection and representation dated 03.09.2020 of the petitioner, in respect of issuance of revenue patta to an extent of 10 acres, situated in S.No.65/1 at Kalanivasal Village, Karaikudi Taluk, Sivagangai District, on the basis of settlement patta, dated 18.10.1983 as well as rejected the request of the third respondent for issuance of patta for the same.

2.Heard Mr.H.Arumugam, learned counsel appearing for the petitioner, Mr.P.Kannidevan, learned Additional Government Pleader appearing for the first and second respondents and Mr.V.R.Shanmuganathan, learned counsel appearing for the third respondent.

3.A very short point is involved in the present writ petition. Pursuant to the order, dated 25.08.2020 passed in W.P(MD). No.9995 of 2020, the petitioner made an objection.

4.The learned counsel appearing for the petitioner submitted that the petitioner being an objector, made an objection on 03.09.2020 before the revenue officials for granting patta in favour of the third respondent and the petitioner has also filed an application through online for granting patta. He further submitted that without considering the petitioner's objection, the second respondent made an attempt to grant patta in favour of the third respondent. Therefore, he prays that the second respondent may consider the petitioner's objection and to take appropriate decision.

5.The learned counsel appearing for the third respondent submitted that this Court by order, dated 25.08.2020 has clearly stated that the petitioner's application, dated 10.07.2020 shall be considered on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the interested parties, if necessary. Therefore, in the said order, this Court has clearly stated that if any objection is made, the authority shall consider the same and pass appropriate orders.

6.The learned Additional Government Pleader appearing for the first and second respondents submitted that the petitioner's objection will be considered and appropriate orders will be passed in accordance with law.

7.Considering the above submissions made on either side, this Court directs the second respondent to consider the petitioner's objection, dated 03.09.2020 and pass appropriate orders, in the light of the earlier order passed by this Court in W.P.(MD).No.9995 of 2020, dated 25.08.2020.



8. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar

// 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,
Sivagangai District,
Sivagangai.

2. The Tahsildar,
Karaikudi Taluk,
Sivagangai.

+1 CC to M/s.H. ARUMUGAM, Advocate (SR-17757[F] dated 22/09/2020)

+1 CC to SGP (SR-17848[F] dated 23/09/2020)

W.P. (MD) No.12289 of 2020

22.09.2020

NR (05.10.2020) 3P 5C