



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.19288 of 2020

V.Muniyasamy

...Petitioner

-Vs-

1.The District Collector,
Dindigul District and
Having office at Collector Office Complex,
Dindigul.

2.The District Revenue Officer and
Having office at Collector Office Complex,
Dindigul.

3.The Revenue Divisional Officer and
Having office at Collector Office Complex,
Nilakkottai Division,
Dindigul.

4.The Tahsildar,
Nilakkottai Taluk Office,
Nilakkottai,
Dindigul District.

...Respondents

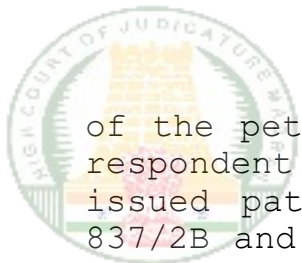
Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4, to cancel the wrongly issued patta bearing patta No.680 in favour of the petitioner and issue fresh patta as per the sale deed dated 12.06.1995 and registered as Document No.1093/1995 in favour of the petitioner.

For Petitioner : Mr.R.Narayanan
For Respondents : Mr.M.Muniyasamy
Government Advocate

ORDER

This Writ Petition has been filed for a direction to the respondents to cancel the wrongly issued patta bearing patta No.680 in favour of the petitioner and issue fresh patta as per the sale deed dated 12.06.1995 which was registered in Document No.1093/1995 in favour of the petitioner.

2. The case of the petitioner is that the property comprised in Survey No.837/2, to an extent of 63 cents, was purchased by the petitioner and obtained patta from the fourth respondent. The fourth respondent subdivided the said land into 4 shares. The sub-division



of the petitioner's land is S.No.837/2A and 837/2C. But the fourth respondent wrongly included S.No.837/2B along with his land and issued patta in the name of the petitioner for S.Nos.837/2A and 837/2B and wrongly allotted the petitioner's land in S.No.827/2C in favour of one Seeniyammal and no such person in the name of Seeniyammal is in existence. Hence, the petitioner filed a petition to rectify the said defect. But no action has been taken on the enquiry statement submitted based on the report of the third respondent submitted to the second respondent. Subsequently, the petitioner filed a petition to change the said survey number and patta. But till now no action has been taken. In such circumstances, the petitioner has approached this Court seeking aforesaid prayer.

3. Mr.M.Muniyasamy, learned Government Advocate appearing on behalf of the respondents would submit that the third respondent will have to consider the request of the petitioner.

4. This Court, without going into the merits of the case, directs the third respondent to consider the case of the petitioner and take a decision in accordance with law, after affording opportunity to the petitioner as well as the other parties, who are likely to be affected or the interested parties, within a period of four months from the date of receipt of a copy of this order. The third respondent shall issue fresh patta based on the sale deed that may be produced by the petitioner after ascertaining the genuineness of the sale deed from the Sub Registrar Office and after hearing the rival parties.

5. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CSII)

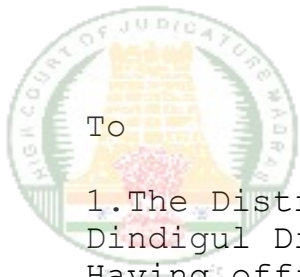
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/ /2021

Sub Assistant Registrar(CS)

PJL

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,
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Nilakkottai Division,
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4.The Tahsildar,
Nilakkottai Taluk Office,
Nilakkottai,
Dindigul District.

+1CC to M/s.SPL GP,SR.No.27271 dated 28/12/2020

+1CC to M/s.N.Juleiet Latha,Advocate,SR>No.27206 dated 28/12/2020

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KMV (CO)
KB(19.01.2021) 3P 7C