



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2020

CORAM:

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

W.P. (MD)No.1106 of 2018

M.Ramayee

...Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Ramanathapuram District.

2.The Sub Collector,
Devakottai Sub Division,
Sivagangai District.

3.The Thasildar,
Singampunary Taluk,
Sivagangai District.

4.Muthumani

5.Sevugan Ambalam

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the second respondent to conduct enquiry and pass appropriate order to issue Patta for the dwelling house in Patta No.162, Survey No.167/8 situated at Vadavanpatty Village, Mallakottai Post, Tiruppathoor Taluk, Sivagangai District, to the petitioner's name by considering his representation, dated 03.10.2017 in accordance with law within the time stipulated by this Court.

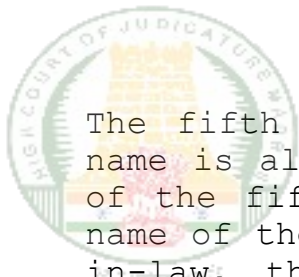
For Petitioner	: Mr.R.Alagumani
For R1 to R3	: Mr.V.Anand
	Government Advocate

ORDER

This Writ Petition is filed to direct the second respondent to conduct enquiry and pass appropriate order to issue Patta for the dwelling house in Patta No.162, Survey No.167/8 situated at Vadavanpatty Village, Mallakottai Post, Tiruppathoor Taluk, Sivagangai District to the petitioner's name, by considering her representation, dated 03.10.2017.

2.Heard Mr.R.Alagumani, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents 1 to 3.

3.According to the petitioner, the petitioner has made a serious allegation in the affidavit that the petitioner's husband name is Muthumani and her father-in-law name is Sevugan Ambalam.



The fifth respondent, who is the neighbor of the petitioner, his name is also Sevugan Ambalam and the fourth respondent is the wife of the fifth respondent namely Muthumani. Taking advantage of the name of the petitioner's husband as well as the name of her father-in-law, the fourth and fifth respondents had impersonated and misused the name of the aforesaid persons and obtained Patta and muted the revenue records. In this regard, she sent a representation to the respondents 1 to 3. Since no action has been taken on the petitioner's representation, the present Writ Petition has been filed.

4.No counter affidavit has been filed by the respondents.

5.The learned Government Advocate appearing for the respondents 1 to 3, on instructions, would submit that the second respondent is the competent authority to take action against the cancelling of patta and to consider the petitioner's allegation made in the said representation. He would further submit that the petitioner has to file an appeal before the second respondent to question the said patta granted in favour of the private respondents.

6.In view of the aforesaid submissions made on either side, this Court is of the considered view that the petitioner shall file an appeal petition along with the copy of the representation, dated 03.10.2017 before the second respondent within a period of one week from the date of receipt of a copy of this order. On receipt of such appeal along with the representation, the second respondent shall serve notice to the parties concerned including private respondents 4 and 5 and pass final order, after providing opportunity to the parties concerned.

7.This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsd/Ns

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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2.The Sub Collector,
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3.The Thasildar,
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KB(21.08.2020) 3P 4C