



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.19357 of 2020

Alagappan

...Petitioner

-Vs-

1.The District Revenue Officer,
Collectorate Campus,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Iluppur,
Pudukkottai District.

3.The Thasilthar,
Taluk Office,
Ponnamaravathi,
Pudukkottai District.

4.Sindhamani

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3, particularly the second respondent to cancel the Patta No.740, issued in the name of the fourth respondent for the petitioner's family property bearing Survey No.850/5, 7, situated at Pon West, Ponnamaraathi, Ponnamaravathi Taluk, Pudukkottai District and consequently issued Patta in the name of the petitioner's family members.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.M.Murugan

Government Advocate

ORDER

This Writ Petition has been filed for a direction to the respondents 1 to 3, particularly the second respondent to cancel the Patta No.740, issued in the name of the fourth respondent for the petitioner's family property bearing Survey No.850/5, 7, situated at Pon West, Ponnamaraathi, Ponnamaravathi Taluk, Pudukkottai District and consequently issued Patta in the name of the petitioner's family members.

2. The case of the petitioner is that the property comprised in Survey No.850/5,7, situated at Pon West, Ponnamaraathi, Ponnamaravathi Taluk, Pudukkottai District is the family property of the petitioner. But the fourth respondent herein obtained patta



in her name as Patta No.740 from the third respondent by producing forged documents. Hence, the petitioner sent a representation to the official respondents on 11.12.2020 to cancel the patta issued in the name of the fourth respondent. However, the same has not been considered so far. In such circumstances, the petitioner has approached this Court seeking aforesaid prayer.

3. Mr.M.Murugan, learned Government Advocate appearing on behalf of the respondents 1 to 3 would submit that the second respondent will have to consider the request of the petitioner. However, as on date the patta stands in the name of the fourth respondent herein.

4. This Court, without going into the merits of the case and without passing any adverse order against the fourth respondent, directs the second respondent to consider the representation of the petitioner dated 11.12.2020 and take a decision in accordance with law, after affording opportunity to the petitioner as well as the fourth respondent and other parties, who are likely to be affected or the interested parties, within a period of 120 days from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /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 Revenue Officer,
Collectorate Campus,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Iluppur,
Pudukkottai District.



3.The Thasilthar,
Taluk Office,
Ponnamaravathi,
Pudukkottai District.

+1CC to M/s.SPL GP,SR.No.27242 dated 28/12/2020

W.P. (MD) No.19357 of 2020
23.12.2020

KMV (CO)
KB (19.01.2021) 3P 5C