



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.07.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.26047 of 2019

P.Rajeshwari

...Petitioner

Vs

1.The Revenue Divisional Officer,
Dindigul Sub Division,
Dindigul.

2.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

3.Thirupathi

4.Meenambikai

5.Ramasamy Pillai

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 2nd respondent to remove the names of respondents 4 and 5 from the revenue records in respect of the property in S.No.1127/1D situated at Sevugampatti Village,

Nilakkottai Taluk, Dindigul District, in the light of the order passed by the 1st respondent vide Na.ka.No 2480/2013/B4 dated 13/08/2015 consequently direct the 2nd respondent to issue patta in the name of the petitioner in respect of the property in S.No.1127/1D situated at Sevugampatti Village, Nilakkottai Taluk, Dindigul District, based on the petitioner's representation dated 10/07/2018, within a time stipulated by this Court.

For Petitioner : Mr.S.Balamurugan

For R1 & R2 : Mr.C.M.Marichelliah Prabhu

Additional Government Pleader

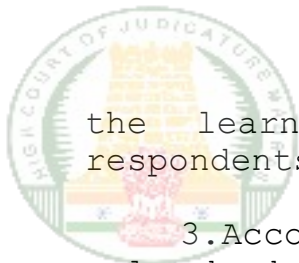
For R3 & R4 : No appearance

For R5 : Died

ORDER

This writ petition is filed to direct the 2nd respondent to remove the names of the respondents 4 and 5 from the revenue records in respect of the property in S.No.1127/1D situated at Sevugampatti Village, Nilakkottai Taluk, Dindigul district and to direct the 2nd respondent to issue patta in the name of the petitioner for the aforesaid property.

2.Heard the learned counsel appearing for the petitioner and
<https://hcservices.ecourts.gov.in/hcservices/>



the learned Additional Government Pleader appearing for the respondents 1 and 2.

3. According to the petitioner, the 3rd respondent had executed a sale deed in favour of the respondents 4 and 5 in respect of the property in S.No.1127/1D measuring to an extent of 6037 sq.fts., respectively. Since the power deed executed in favour of the 3rd respondent is invalid, the 3rd respondent had fraudulently executed two separate sale deeds during the year 2010 vide Doc.Nos.2249/2010 and 3256/2010 in favour of the respondents 4 and 5. A criminal complaint has also been given in that regard against the 3rd respondent before the Anti-land Grabbing Cell, Dindigul. Thereafter, the 3rd respondent had cancelled both the two separate sale deeds executed in favour of the respondents 4 and 5, by way of two separate deed of cancellation vide Doc.Nos.1016/2013 and 1020/2013. In the meantime, the patta stood in the name of the respondents 4 and 5 for the property in S.No.1127/1D. Therefore, the petitioner made a representation dated 10.07.2018 to the 2nd respondent to remove the names of the respondents 4 and 5 from the revenue records in respect of the property in S.No.1127/1D and to issue patta in the name of the petitioner for the aforesaid property. But, on such representation no action has been taken by the 2nd till date. Hence, the petitioner has filed the present writ petition.

4. The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the petitioner's representation dated 10.07.2018 would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5. In the light of the above, without expressing any opinion on the merits of the case, this Court directs the 2nd respondent to consider the petitioner's representation dated 10.07.2018 on merits and in accordance with law and pass appropriate orders, within a period of 12 weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner and the interested parties, if any.

6. This Writ Petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



1.The Revenue Divisional Officer,
Dindigul Sub Division,
Dindigul.

2.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

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SMA/14/07/2020/3P/3C