

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2021

CORAM : JUSTICE N.SESHASAYEE

W.P.No.16923 of 2020
and WMP.Nos.21000 & 21002 of 2020

M.R.Sivakumar

...

Petitioner

Vs.

The Sub Collector
Kodaikanal
Dindigul District.

...

Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the respondent herein culminating in Na.Ka.No.1162/2017/A1 on the file of the respondent herein dated 11.07.2017 and quash the same so far as the petitioner's land is concerned and consequently direct the respondent herein to restore the entries in the revenue records in respect of the subject land viz., an extent of 36 cents comprised in R.S.No.938/7 as per Patta Survey No.938/7A1, Mannavanur Village, Kodaikanal Taluk, Dindigul District bearing as per Patta No.2700 within the time as may be stipulated by this Court.

For Petitioner : Mr.M.Santhanaraman
For Respondent : Mr.M.Manigopi
Government Advocate

सत्यमेव जयते
ORDER

The petitioner is not a party to the impugned order of the Sub Collector / District Revenue Officer, Kodaikanal, who had cancelled his patta vide proceedings dated 11.07.2017. The case of the petitioner is that he had purchased the subject property from his vendor Saleth Mary, which originally was assigned by the Government in the name of a certain Karuppan, and that necessary mutation of revenue records had taken place, and the property was transferred in his favour Vide Patta No.2700. Now, Vide the impugned order, the respondent had cancelled the assignment granted in favour of Late.Karuppan, who is the predecessor in title of the subject property.

2. The learned counsel for the petitioner submits that he could not even prefer an appeal since the petitioner is not a party to the impugned proceedings.

3. Heard the learned counsel for the petitioner and Mr.M.Manigopi, learned Government Advocate who enters appearance for the respondent.

4 This Court now permits the petitioner to prefer an appeal to the Sub Collector / District Revenue Officer, Dindugul, challenging the impugned order, if he is so desirous, within a period of two weeks from the date of receipt of a copy of this order. As and when the appeal is so presented, the District Revenue Officer, Dindugul is required to receive the appeal and decide the matter strictly in accordance with law, but only after hearing all those who are likely to be affected by his action.

5. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed. Impugned order is directed to be returned.

-s/d-

Assistant Registrar

True copy

Sub-Assistant Registrar

ds

To:

The Sub Collector
Kodaikanal
Dindigul District.

+1 cc to M/s.M.Santhana Raman Advocate sr9407

+1 cc to the government Advocate sr9559

jpII(co)
aa03/03/2021