



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10108 of 2021

E.Maruthamuthu

...Petitioner

Vs.

1.The District Collector,
Dindigul,
Dindigul District.

2.The Sub Collector,
Kodaikanal,
Dindigul District.

3.The Revenue Divisional Officer,
Kodaikanal,
Dindigul District.

4.The Village Administrative Officer,
Vilpatti,
Kodaikanal Taluk,
Dindigul District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to restore the patta in No.1043 as it existed earlier based on the petitioner's representation, dated 19.10.2020, within the period that may be stipulated by this Court.

For Petitioner

: Mr.N.Kamesh

For Respondents

: Mr.M.Lingadurai

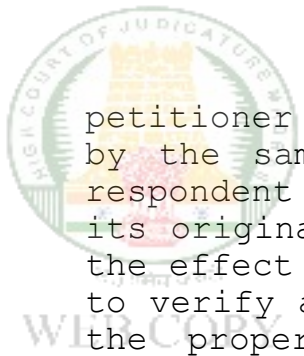
Government Advocate (Civil)

ORDER

This writ petition has been filed for the issuance of writ of Mandamus directing the second respondent to restore the patta in Patta No.1043, based on the representation made by the petitioner, on 19.10.2020.

2.The case of the petitioner is that the subject property was an ancestral property, wherein, his father was doing agriculture for more than 40 years. The further case of the petitioner is that the father was also issued a patta for the subject property in patta No.1043. It is stated that after the demise of his father, the petitioner continues to do agricultural activities in the subject property. Thereafter, his sons are continuing to do agriculture.

3.The grievance of the petitioner is that the third respondent had cancelled the patta issued in favour of the father of the



petitioner without issuing any notice to the petitioner. Aggrieved by the same, the petitioner made a representation to the second respondent on 19.10.2020, seeking for restoration of the patta to its original status. An averment has been made in the affidavit to the effect that the second respondent directed the fourth respondent to verify all the documents and to conduct an enquiry and survey of the property. The documents were handed over to the fourth respondent and the petitioner is not aware as to whether the fourth respondent has already submitted the report before the second respondent. It was further clarified by the second respondent that the enquiry is still pending even as on the month of April 2021. Left with no other alternative, the present writ petition has been filed before this Court, seeking for a direction to the second respondent to dispose of the representation, within the time stipulated by this Court.

4.Heard Mr.N.Kamesh, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents.

5.Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 19.10.2020 and deal with the same on its own merits and in accordance with law and pass final orders, within a period of eight weeks from the date of receipt of a copy of this order. The second respondent shall give opportunity to the petitioner and to any other party, who may be interested in the property.

6.The petitioner is directed to make a fresh representation to the second respondent along with all relevant documents and also a copy of this order.

7.This writ petition is disposed of with the above directions. No costs.

Sd/-

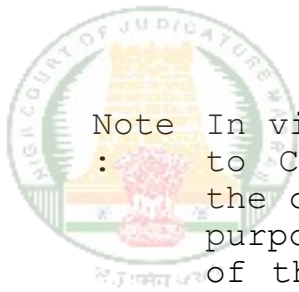
Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM



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, Dindigul, Dindigul District.
 - 2.The Sub Collector, Kodaikanal, Dindigul District.
 - 3.The Revenue Divisional Officer, Kodaikanal, Dindigul District.
 - 4.The Village Administrative Officer, Vilpatti, Kodaikanal Taluk, Dindigul District.
- +1 CC to M/s.SPL GP (SR-19530[F] dated 17/06/2021)

**W.P. (MD) .No.10108 of 2021
16.06.2021**

KK(29.06.2021) 3P 6C