



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.10445 of 2021

S.Sundaramoorthy

... Petitioner

Vs.

1. The District Collector,
Collector Office, Virudhunagar District.

2. The Tahsildar,
Aruppukkottai Taluk, Aruppukkottai,
Virudhunagar District.

3. P.M.Sundararaj
4. S.Arumugam
5. K.Kalavathi
6. K.Satheshkumar
7. K.Balachandar
8. K.Rekha

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representation dated 21.04.2021 and to refrain from issuing separate patta in favour of the fourth respondent based on the Settlement Deed No.6355/2019, dated 31.12.2019 and the Rectification Deed No.1921/2021, dated 16.03.2021, executed by the third respondent.

For Petitioner

: Mr.A.R.Sethupathy

For R-1 & R-2

: Mr.M.Lingadurai

Government Advocate

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus, directing the first and second respondents to consider the representation made by the petitioner on 21.04.2021, wherein, the petitioner has requested the respondents not to entertain any application from the fourth respondent and issue patta in his favour with respect to the subject property.

2. The case of the petitioner is that the fourth respondent has executed certain fraudulent documents and he is attempting to get a patta from the second respondent and knock off the property. Hence, the petitioner made a representation to the fourth respondent on 21.04.2021. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.A.R.Sethupathy, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate
<https://hcservices.ecourts.gov.in/hcservices/>



appearing for the respondents 1 and 2.

4. 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 / objection made by the petitioner on 21.04.2021 as and when any application is submitted by the fourth respondent and it is considered for issuance of patta with respect to the subject property. The parties concerned may be given an opportunity and thereafter, a decision shall be taken by the second respondent on its own merits and in accordance with law.

5. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

tsg

To

1. The District Collector,
Collector Office, Virudhunagar District.

2. The Tahsildar,
Aruppukkottai Taluk, Aruppukkottai,
Virudhunagar District.

+1 CC to M/s.SPL GP (SR-20160[F] dated 24/06/2021)

+1 CC to M/s.T.R.SUBRAMANIAN, Advocate (SR-20075[F] dated 24/06/2021)

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23.06.2021

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