



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10499 of 2021

Santhakumar

... Petitioner

Vs.

1.The Sub Collector / Revenue Divisional Officer,
Paramakudi, Ramanathapuram District.

2.The Tahsildar,
Taluk Office,
Kadaladi,
Ramanathapuram District.

3.Muniyandi

4.Sarkunam

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation, dated 04.05.2021 and cancelling the Patta No.1329, issued in the name of the 3rd respondent for entire extend of 26 cents for the Survey No.15/1, situated at Siraikulam Revenue Village, Kadaladi Taluk, Ramanathapuram District, instead of 13 cents.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.R.Sureshkumar for R1 & R2
Government Advocate

ORDER

This writ petition has been filed for the issuance of a Writ of Mandamus directing the first respondent to consider the representation made by the petitioner on 04.05.2021, wherein, the petitioner has sought for the cancellation of patta issued in the name of the third respondent for the entire extent of 26 cents in the subject property.

2.The case of the petitioner is that the subject property in S.No.15/1 totally measures an extent of 26 cents. The further case of the petitioner is that the property belonged to the father of the petitioner and he executed two registered sale deeds during his life



time to the third respondent in the year 2001 and 2006 respectively. It is stated that by virtue of these two sale deeds, the father of the petitioner had conveyed an extent of 13 cents.

3.The grievance of the petitioner is that the third respondent while applying for patta before the second respondent had managed to get patta in patta No.1329 for the entire extent of 26 cents.

4.The petitioner, therefore, gave a representation to the first respondent on 04.05.2021, seeking for cancellation of patta issued in favour of the third respondent for the entire extent and the petitioner wants the patta to be confined only to 13 cents, which was actually conveyed by the father of the petitioner. Since the same was not considered, the present writ petition has been filed before this Court, seeking for appropriate directions.

4.Heard Mr.R.Murugappan, learned counsel appearing for the petitioner and Mr.R.Suresh Kumar, learned Government Advocate appearing for the respondents 1 and 2.

5.Taking into consideration the facts and circumstances of this case and the limited relief sought for in this writ petition, there shall be a direction to the first respondent to consider the representation made by the petitioner, on 04.05.2021, after affording opportunity to the petitioner and the third respondent on its own merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order.

6.The petitioner is directed to file a fresh representation to the first 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(C-II)

// 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.

<https://hccservices.gov.in/hccservices/>



To

1.The Sub Collector / Revenue Divisional Officer,
Paramakudi, Ramanathapuram District.

2.The Tahsildar,
Taluk Office,
Kadaladi,
Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-20325[F] dated 25/06/2021)

Order made in
W.P. (MD) .No.10499 of 2021
24.06.2021

KG(CO)
TR(02.07.2021) 3P 4C