



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P (MD)No.13722 of 2021

K.Bomman

... Petitioner

versus

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Superintendent of Police,
Land Grabbing Cell,
Madurai District,
Madurai.
- 3.The Thasildhar,
Vadipatti Taluk,
Madurai District.
- 4.The Village Administrative Officer,
Athanoor Village,
Vadipatti Taluk,
Madurai District.
- 5.P.Rajangam

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the 1st to 4th respondents to cancel the Patta No.1505 and direct the respondents to issue Patta in the petitioner's name.

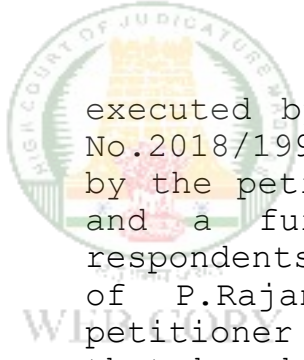
For Petitioner : Mr.R.M.Suresh

For Respondent : Mr.P.Subbaraj,
Counsel for State

ORDER

The petitioner seeks a direction to the respondent to cancel patta No.1505 and direct the third respondent to issue patta in his name.

2. The petitioner claims that the property bearing Survey No.552/6 in Athanoor Village, Vadipatti Taluk, Madurai District, was acquired by his mother under a registered sale deed dated 19.12.1995. The petitioner alleges that a fraudulent sale deed was



executed by Bomman in favour of Thangammal by a document bearing No.2018/1995. It is alleged that a complaint was made in such regard by the petitioner on 27.03.2021 before the Superintendent of Police and a further representation dated 10.04.2021 was issued to respondents 1 to 4 herein for cancellation of the patta in the name of P.Rajangam, Kumar and Ramesh. Upon receipt thereof, the petitioner states that the third respondent informed the petitioner that he should submit a petition before the District Land Grabbing Division.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of the respondents 1 to 4.

4. Upon perusal of the documents on record, it is clear that a sale deed was registered in favour of one R.Thangammal as early as on 15.12.1995. It does not appear that the petitioner challenged such sale deed before a civil Court. In addition, the admitted position is that patta No.1505 has been issued in favour of P.Rajangam, Kumar and Ramesh. Consequently, in case the petitioner intends to cancel such patta, appropriate proceedings should be initiated before the jurisdictional Revenue Divisional Officer. Indeed, by the communication dated 28.06.2021, the Thasildar has disposed of the petitioner's request.

5. Accordingly, W.P.(MD).No.13722 of 2021 is disposed of by leaving it open to the petitioner to initiate appropriate proceedings for cancellation of the patta in accordance with law. There will be no order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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,
Madurai District,

<https://hcservices.madurai.gov.in/hcservices/>



2.The Superintendent of Police,
Land Grabbing Cell,
Madurai District,
Madurai.

3.The Thasildhar,
Vadipatti Taluk,
Madurai District.

4.The Village Administrative Officer,
Athanoor Village,
Vadipatti Taluk,
Madurai District.

+1 CC to M/s.GP (SR-25768[F] dated 10/08/2021)

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09.08.2021

MGJ(19.08.2021) 3P 6C