



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.14307 of 2021

WEB COPY

R.Singaram

... Petitioner

Vs.

1.The District Collector,
The District Collectorate Office,
Pudukottai District.

2.The District Revenue Officer,
Pudukottai.

3.The Revenue Divisional Officer,
Iluppur,
Pudukottai District.

4.The Tahsildar,
Ponnamaravathy Taluk,
Pudukottai District.

5.Ganesan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent herein to cancel the Patta No.413 stands in the name of the fifth respondent comprised in Survey No.640/17 situated at Kandianatham Village, Ponnamaravathy Taluk, Pudukottai District and consequently directing the third respondent to issue the Patta in the name to the Pidari Amman Temple comprised in Survey No.640/17 situated at Kandianatham Village, Ponnamaravathy Taluk, Pudukottai District, by considering the petitioner's representation, dated 29.11.2019.

For Petitioner : Mr.S.Alagusundar

For RR 1 to 4 : Mr.P.Thilak Kumar
Standing Counsel for Government

ORDER

(Order of the Court was made by **M.DURAI SWAMY, J.**)

The petitioner has filed the above Writ Petition as a Public Interest Litigation to issue a Writ of Mandamus, directing the third respondent to cancel the Patta No.413 standing in the name of the



fifth respondent in respect of the land in Survey No.640/17, situated at Kandianatham Village, Ponnamaravathy Taluk, Pudukottai District, by considering the petitioner's representation, dated 29.11.2019.

2.The prayer in the Writ Petition is to cancel the patta issued in favour of the fifth respondent. Admittedly, the petitioner has got remedy by way of an appeal under Section 12 of the Tamil Nadu Patta Pass Book Act, seeking to cancel the patta.

3.The learned counsel appearing for the petitioner submitted that the petitioner has also filed an appeal before the third respondent on 29.11.2019 seeking to cancel the patta. However, the third respondent has not passed any order so far.

4.Mr.P.Thilak Kumar, learned Standing Counsel for the Government taking notice for the respondents 1 to 4 submitted that the third respondent may be directed to dispose of the appeal in accordance with law, after giving notice to all the interested parties.

5.Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for by the learned counsel appearing for the petitioner, without expressing any opinion with regard to the merits of the case, we direct the third respondent to consider the petitioner's appeal, dated 29.11.2019 and pass orders on merits and in accordance with law, after giving notice to all the interested parties, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With these observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

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://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Collector,
The District Collectorate Office,
Pudukottai District.

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Pudukottai.

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4.The Tahsildar,
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Pudukottai District.

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RK (23.08.2021) 3P 5C