



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.19871 of 2021

and

W.M.P. (MD) .Nos.16587 and 16588 of 2021

K.Muniyasamy

... Petitioner

Vs.

1.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

2.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
Kadaladi Taluk,
Kadalai,
Ramanathapuram District.

4.Ibrahimkani

5.Nabizal Beevi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records in respect of the impugned order of the first respondent dated 05.12.2018 in W.P.(MD)/15371/2016 confirming the order of the second respondent dated 22.01.2016 in W.P.(MD)/1573/2015 and quash the same and pass orders to issue patta to the petitioner for the lands in Survey No.538/3 to the extent of 2.28.0 Hectares in Tharakudi Group Village, Kadaladi Taluk, Ramanathapuram District.

For Petitioner : M/s.S.Devasena

For R-1 to R-3 : Mr.S.Shanmugavel
Special Government Pleader



ORDER

Heard Ms.S.Devasana, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Special Government Pleader who takes notice for respondents 1 to 3.

WEB COPY

2. The Writ Petition has been filed questioning the order of the District Revenue Officer/ the first respondent dated 05.12.2018 with respect to grant and cancellation of grant of patta. As against that particular order, the proper approach would be to file a civil suit.

3. In the affidavit filed in support of the present Writ Petition, it has been stated that the order of the first respondent had been received in the last week of February 2019 and it was handed over to an advocate who unfortunately died due to COVID-19 and therefore the records could not be collected and necessary further proceedings were not initiated. The petitioner may explain all these details if the petitioner files a civil suit and may take advantage of the limitation period if it applies to the petitioner as given by various orders of the Hon'ble Supreme Court and also by this court. The petitioner may also take advantage of Section 14 of the Limitation Act provided it is applicable to the petitioner with respect to the facts and circumstances.

4. With the above observations, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, W.M.P. (MD).Nos.16587 and 16588 of 2021 stand closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Nsr/Lm

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 Revenue Officer,
Ramanathapuram District,
Ramanathapuram.



2.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
Kadaladi Taluk,
Kadalai,
Ramanathapuram District.

+1 CC to M/s.SPL.GP (SR-33900[F] dated 10/11/2021)

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RK/SKN(19/11/2021) 3P 5C