



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2021

CORAM

THE HON'BLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P. (MD)No.19099 of 2021

and

WMP (MD) No.15859 of 2021

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U.Loganathan

... Petitioner

Vs.

1.The District Collector,
O/o. The District Collector,
Ramanathapuram District.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Ramanathapuram District.

3.The Tahsildar,
O/o. The Tahsildar,
Paramakudi,
Ramanathapuram District.

4.M.Chinnathambi

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action for removing the patta entry made by the respondent No.4 in the survey No.207/6 of Punjai land with extended about 2 acre 24 cents which located at Ilanthaikulam, Kamuthakudi, Paramakudi Taluk, Ramanathapuram District by considering petitioner's representation dated 17.09.2021.

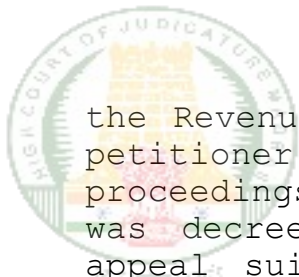
For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.P.Subbaraj,
Counsel for the State for R1 to R3.
Mr.K.Dinesh for R4.

O R D E R

The petitioner seeks the cancellation of the patta issued to the fourth respondent in respect of the land bearing Survey No.207/6 of an extent of 2 acres and 24 cents at Ilanthaikulam, Kamuthakudi, Paramakudi Taluk, Ramanathapuram District.

2. The petitioner states that his father bought the above mentioned property and that Patta No.143 was issued to him. According to the petitioner, his neighbour, one Muthu, approached



the Revenue Divisional Officer and an order was issued against the petitioner's family. This was the subject matter of civil proceedings. It is stated by the petitioner that O.S.No.52 of 2001 was decreed in favour of his father on 28.09.2002. Although an appeal suit was filed in respect thereof, such appeal suit was dismissed. The second appeal is said to be pending before this Court. Meanwhile, the petitioner has submitted a detailed representation to the respondents on 17.09.2021 seeking cancellation of the patta. Such representation has been submitted by the petitioner in view of the death of his father in the meantime.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 to 3 and Mr.K.Dinesh, learned counsel, accepts notice for the fourth respondent. Mr.Subbaraj submits, on instructions, that a communication dated 05.10.2021 has been issued by the District Revenue Officer to the Revenue Divisional Officer, Paramakudi. By such communication, the Revenue Divisional Officer, Paramakudi has been directed to initiate action on the basis of the petitioner's representation and report thereon. The fourth respondent submits that he should be provided a reasonable opportunity before any decision is taken on the petitioner's representation.

4. In view of the above submissions, W.P(MD).No.19099 of 2021 is disposed of by directing the second respondent to consider the petitioner's representation dated 17.09.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and the fourth respondent. Such reasoned order shall be issued within a period of three months from the date of receipt of a copy of this order. There will be no order as to costs. Consequently, connected MP is closed.

Sd/-

Assistant Registrar (W)

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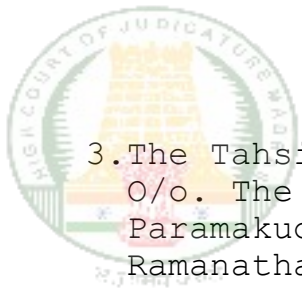
Sub Assistant Registrar(CS)

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To

1.The District Collector,
O/o. The District Collector,
Ramanathapuram District.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Ramanathapuram District.



3.The Tahsildar,
O/o. The Tahsildar,
Paramakudi,
Ramanathapuram District.

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+1 CC to M/s.SPL.GP (SR-33031[F] dated 28/10/2021)

W.P. (MD) No.19099 of 2021

27.10.2021

SJ(CO)

GC/PM(18.11.2021) 3P 5C