



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :21.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No. 19474 of 2021

P.Thirumalai

...Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Madurai District.

3.The Tahsildar,
Madurai North Taluk,
Madurai District

...Respondents

**(*R2 and R3 are suo-motu impleaded by this
Court vide order dated 21.12.2021 in
W.P(MD)No.19474 of 2021)**

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to dispose of the representation of the petitioner, dated 04.10.2021 and to cancel the sub division Nos.28/6 A1, 28/6 A2, 28/6 A3, 28/6 A4, 28/6 A1B, 28/6B and 28/6 C and restore the patta No.502, in the name of the petitioner for the entire 61 cents within a time frame as may be fixed by this Court.

For Petitioner : Mr.P.Jessi Jeeva Priya

For Respondents : Mr.J.John Rajadurai
Government Advocate

ORDER

The petitioner had granted a Power of Attorney in favour of one Nachiyappan Son of Narayanan on 11.04.2003, to deal with her properties which measures to an extent of 61 cents in S.No.28/6 at Manjampatti Village, Madurai North Taluk, Madurai District. She then cancelled the power of attorney. However, the said Nachiyappan appears to have sold the property and further encumbrances were also made.

2.Mr.J.John Rajadurai, learned Government Advocate appears for the respondents states that plots have been sub divided and several persons have purchased it.



3.The petitioner has given a representation, seeking clarification on the patta and stating that without notice to the petitioner, there had been entries with respect to the patta.

4.It only be appropriate that the Revenue Divisional Officer, Madurai and the Tahsildar, Madurai North Taluk, Madurai, are suo-motu impleaded as respondents in the Writ Petition.

5.The Registry may carry out necessary corrections in the cause title. Mr.J.John Rajadurai, learned Government Advocate takes notice on behalf of the Revenue Divisional Officer, Madurai, who has been impleaded as the second respondent and the Tahsildar, Madurai North Taluk, Madurai, who has been impleaded as the third respondent.

6.A direction is given to the petitioner to give a fresh representation to the Tahsildar, Madurai North Taluk, Madurai, giving the entire details about the grant of patta, cancellation of patta and thereafter the sale deeds which have been executed without informing the petitioner and the nature of entries in the revenue records which have been again made without notice to the petitioner.

7.On receipt of such representation which has to be forwarded to the newly impleaded third respondent/the Tahsildar, on or before 20.01.2022, a direction is given to the Tahsildar to issue notice to all the named persons in the representation, and conduct an enquiry with regard to the issues. If it is within his authority pass necessary orders or if it is not within his authority, then the Tahsildar may direct the parties to the particular authority and thereafter, forward the relevant records for further consideration.

8.The entire exercise should be completed within a period of sixteen weeks from the date of receipt of a fresh representation from the petitioner. The petitioner may also enclose a copy of this order for reference.

9.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

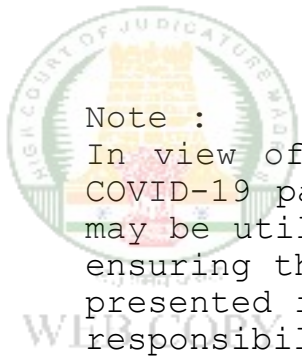
Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr



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,
Office of the District Collector,
Madurai District.
- 2.The Revenue Divisional Officer,
Madurai District.
- 3.The Tahsildar,
Madurai North Taluk,
Madurai District.

+1 CC to M/s.SPL GP (SR-40238[F] dated 23/12/2021)

W.P (MD) .No.19474 of 2021
21.12.2021

MGJ(31.12.2021) 3P 5C