



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.467 of 2022

and

W.P. (MD) No.371 of 2022

WEB COPY

Sri Ganesh

... Petitioner

vs.

1.The District Collector,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Usilampatti Division,
Usilampatti,
Madurai District.

3.The Thasildhar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

4.The President,
Nadupatti Village Panchayat,
Usilampatti, Madurai District.

5.Mayan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 herein to take necessary action for cancellation of Natham Patta in Patta No.688 in respect of S.F.No.21/11E, Nadupatti Village, Usilampatti Taluk, Madurai District stands in favour of the fifth respondent herein expeditiously based on the petitioner's representation, dated 16.10.2021 within the time stipulation by this Court.

For Petitioner : Mr.A.Mithun Chakravarthi

For R1 to R3 : Mr.S.Shanmugavel
Additional Government Pleader

For R4 : Mr.D.Sadiq Raja
Standing Counsel

O R D E R

Mr.S.Shanmugavel, learned Additional Government Pleader, takes notice for the first to third respondents and Mr.D.Sadiq Raja,
<https://hcservices.ecourts.gov.in/hcservices/>



learned Standing Counsel, takes notice for the fourth respondent. In view of the nature of the order now passed, I am not issuing notice to the fifth respondent.

2.The writ petition has been filed in the nature of Writ of Mandamus, seeking a direction to the respondents 1 to 3, particularly, the third respondent to take action on the basis of a representation given by the petitioner on 16.10.2021.

3.The petitioner is working as Head Constable. His father, who is the fifth respondent, has retired from police service. It is stated that there was an assignment of Patta of Natham Poramboke land and suppressing that he was already in public service, such assignment had been obtained by the fifth respondent. Now, the general public had given a complaint against the petitioner that the family as such is enjoying assignment which should be granted only to landless poor. The petitioner also states that he does not qualify for assignment and therefore, had given such a representation seeking cancellation of the patta.

4.Let an enquiry be done by the third respondent in the first instance and if the petitioner and everybody else in his family voluntarily give up this assignment and undertake not to lay a future claim, if at all it is reassigned to anybody else, let necessary orders be passed in this regard. At any rate, enquiry should be conducted and order should be passed within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above observations, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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, Madurai.

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



2.The Revenue Divisional Officer,
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Usilampatti,
Madurai District.

3.The Thasildhar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

+1 CC to M/s.SPL.GP (SR-1468[F] dated 12/01/2022)

+1 CC to M/s.D.SADIQ RAJA, Advocate (SR-1564[F] dated 12/01/2022)

W.P. (MD) No.467 of 2022
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RD(28.01.2022) 3P 6C