



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.3496 of 2022

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... Petitioner

Vs.

1.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Lalgudi,
Trichy District.

2.The Tahsildar,
Taluk Office,
Lalgudi,
Trichy District.

3.V.Jayarani

4.A.Jesuraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first and second respondents to cancel patta in the name of the third and fourth respondents and restore the same in the petitioner's name with respect to properties in S.F.No.99/4A situated in Jevanthinathapuram Village, Lalgudi Taluk, Trichy District, considering his representation dated 27.01.2022.

For Petitioner : Mr.S.Krishnan

For Respondents 1&2 : Mr.M.Lingadurai

Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the first and second respondents to cancel patta in the name of the third and fourth respondents and restore the same in the petitioner's name with respect to properties in S.F.No.99/4A situated in Jevanthinathapuram Village, Lalgudi Taluk, Trichy District, based on the petitioner's representation dated 27.01.2022.

2.It is the case of the petitioner that he is the absolute owner of the aforementioned property. According to him the third and fourth respondents have fraudulently obtained a patta in their name. He has given a representation on 27.01.2022 to the official respondents seeking for cancellation of the patta which is now standing in the name of third and fourth respondents. Since the



representation has not been considered till date, he has filed this writ petition.

3. Heard Mr.S.Krishnan, learned Counsel for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the first and second respondents.

4. As seen from the documents filed along with the writ petition, enquiry has already been initiated on 04.02.2022 by the proceedings of the first respondent. Since enquiry on the petitioner's representation has already commenced, no prejudice will be caused to the respondents if a direction is issued to the first respondent to consider the petitioner's representation dated 27.01.2022 seeking for cancellation of patta and pass final orders within a time frame to be fixed by this Court after affording a fair hearing to the petitioner and the respondents 3 and 4 and other necessary parties.

5. Accordingly, this Court directs the first respondent to pass final orders on the petitioner's representation dated 27.01.2022 seeking for cancellation of patta which is now standing in the name of third and fourth respondents for the properties comprised in S.F.No.99/4A situated in Jevanthinathapuram Village, Lalgudi Taluk, Trichy District within a period of three [3] months from the date of receipt of a copy of his order after affording a fair opportunity of hearing to the petitioner and the respondents 3 & 4 and any other rival claimants.

6. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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 Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Lalgudi,
Trichy District.

2.The Tahsildar,
Taluk Office,
Lalgudi,
Trichy District.

+1 CC to M/s.S.KRISHNAN, Advocate (SR-8496[F] dated 24/02/2022)

+1 CC to M/s.SPL GP (SR-8979[F] dated 28/02/2022)

W.P. [MD]No.3496 of 2022

24.02.2022

MGJ(08.03.2022) 3P 5C