



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.4005 of 2022

R.Kannan

.. Petitioner

Vs

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Sub Collector / The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Cheranmahadevi Taluk,
Tirunelveli District.

3.The Tahsildar,
Radhapauram Taluk,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to consider the application of the petitioner dated 05.01.2022 and to dispose the same within a stipulate time as may be fixed by this Court.

For Petitioner : Mr.T.Antony Arul Raj

For Respondents : Mr.D.Sasikumar
Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to consider the application of the petitioner, dated 05.01.2022, seeking for cancellation of patta issued in favour of third parties for the property comprised in S.Nos.2500, 2501/1 (2501/1E), situated at Perungudi Village - 2, Radhapuram Taluk, Tirunelveli District, measuring an extent of 18 $\frac{3}{4}$ cents and 12 cents respectively and pass final orders, within a time frame to be fixed by this Court.

2.The case of the petitioner is that he is the owner of the aforementioned property. He has produced documents before this Court in support of his case. The documents will have to be examined only by the second respondent, in the application, seeking for cancellation of patta, submitted by the petitioner. The petitioner



has submitted an application, on 05.01.2022, with the second respondent, seeking for cancellation of patta issued in the name of third parties. The names of the third parties have also been mentioned in the petitioner's application, dated 05.01.2022.

3. Heard Mr.S.Anwar Sameem, learned counsel appearing for the petitioner and Mr.D.Sasikumar, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4.No prejudice will be caused to the respondents, if the petitioner's application is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the rival claimants, whose names have been found mentioned in the petitioner's application, dated 05.01.2022.

5.Accordingly, this Court directs the second respondent to consider the petitioner's application, dated 05.01.2022, seeking for cancellation of patta, which has been issued in favour of the third parties in respect of the property comprised in S.Nos.2500, 2501/1 (2501/1E), situated at Perungudi Village - 2, Radhapuram Taluk, Tirunelveli District, measuring an extent of 18 $\frac{3}{4}$ cents and 12 cents respectively and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the rival claimants, whose names have been mentioned in the petitioner's application, dated 05.01.2022 and any other necessary party, whom the second respondent deems fit to enquire, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

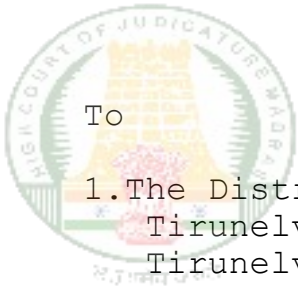
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/ /2022

Sub Assistant Registrar(CS)

TM

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,
Tirunelveli District,
Tirunelveli.

WEB COPY

- 2.The Sub Collector / The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Cheranmahadevi Taluk,
Tirunelveli District.

- 3.The Tahsildar,
Radhapauram Taluk,
Tirunelveli District.

+1 CC to M/s.SPL GP (SR-10354[F] dated 07/03/2022)

+1 CC to M/s.T.ANTONY ARUL RAJ, Advocate (SR-10427[F] dated
07/03/2022)

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