



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.5249 of 2022

Marisamy

... Petitioner

vs.

1.The District Collector,
Collectorate, Aalvarpuram, Madurai District.

2.The District Revenue Officer,
Collectorate, Madurai District.

3.The Revenue Divisional Officer,
Tirumangalam, Madurai District.

4.The Tahsildar,
Tirumangalam Taluk, Madurai District.

5.Lakshmi
6.Murugeshwari
7.Shanthi
8.Irulayee
9.Murugayee

... Respondents

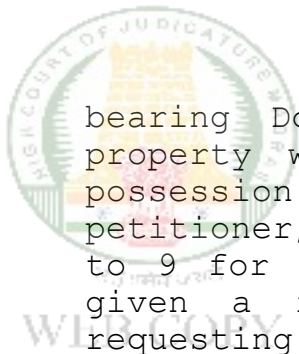
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to consider the petitioner's representation dated 10.03.2022 and to issue patta in petitioner's favour by cancelling the patta transfer made in favour of the respondents 5 to 9 for the lands comprised in S.Nos.52/1, 52/2, 52/3, 52/4 and 52/5 to an extent of 2.5 acres at Achangkulam in Kallikudi Village at Madurai District within a period that may be stipulated by this Court.

For Petitioner :Mr.V.Vishnu
For R1 to R4 :Mr.T.Amjad Khan
Government Advocate

O R D E R

This Writ Petition has filed for a Mandamus seeking for a direction to the third respondent to consider the petitioner's representation, dated 10.03.2022 seeking for cancellation of patta issued in favour of the respondents 5 to 9 and pass final orders within a time frame to be fixed by this Court.

2.According to the petitioner, the property situated at Achangkulam in Kallikudi Village at Madurai District, was purchased by his grandfather in the year 1962 under a registered sale deed



bearing Doc.No.2243/1962. After his death, the aforementioned property was inherited by his father, who is in enjoyment and possession of the same till date. However, according to the petitioner, pattas have been issued in the name of the respondents 5 to 9 for the very same property. In such circumstances, he has given a representation on 10.03.2022 to the third respondent requesting him to cancel the pattas. Since the said representation has not been considered till date, the petitioner has filed this Writ Petition.

3.Heard Mr.V.Vishnu, learned Counsel for the petitioner and Mr.T.Amjad Khan, learned Government Advocate, who takes notice on behalf of the respondents.

4.The learned Government Advocate, on instructions, would submit that the subject lands are Government poramboke lands. However, he would submit that the petitioner's representation will be considered on merits and in accordance with law after affording a fair hearing to the petitioner. The said statement is recorded.

5.No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the respondents 5 to 9 and any other necessary party, whom the third respondent deems fit to enquire.

6.Accordingly, this Court directs the third respondent to consider the petitioner's representation, dated 10.03.2022 requesting him to cancel the pattas issued in the name of the respondents 5 to 9 for the property comprised in S.Nos.52/1, 52/2, 52/3, 52/4 and 52/5 measuring to an extent of 2.5 acres at Achangkulam in Kallikudi Village at Madurai District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the respondents 5 to 9 and any other necessary party, whom the third respondent deems fit to enquire, within a period of four months from the date of receipt of a copy of this order. The petitioner is directed to produce all necessary documents before the third respondent in support of his case.

7.With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

1.The District Collector,
Collectorate, Aalvarpuram, Madurai District.

2.The District Revenue Officer,
Collectorate, Madurai District.

3.The Revenue Divisional Officer,
Tirumangalam, Madurai District.

4.The Tahsildar,
Tirumangalam Taluk, Madurai District.

+1 CC to M/s.SPL GP (SR-14541[F] dated 25/03/2022)

W.P.(MD)No.5249 of 2022
24.03.2022

RK(04/04/2022) 3P 6C