



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.5478 of 2022

Paramasivan Pillai

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Revenue Divisional Officer,
Thiruchendur,
Thoothukudi District.

3.The Tahsildar,
Sathankulam Taluk,
Thoothukudi District.

4.Rajapandi

5.The District Revenue Officer,
Thoothukudi District.

... Respondents

[R5 Suo motu impleaded by this Court
vide order dated 29.03.2022]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to complete the enquiry in respect of the Patta No.867 in Survey No.2/1, Naduvakurichi Village, Sathankulam Taluk, Thoothukudi District on the basis of the petitioner's representation dated 06.12.2021 within a stipulated period as framed by this Court.

For Petitioner : Mr.J.David Ganesan

For Respondents 1 to 3 : Mr.B.Saravanan

Additional Government Pleader

O R D E R

This writ petition has been filed seeking for a direction to the second respondent to complete the enquiry in respect of Patta No.867 in respect of Survey No.2/1, Naduvakurichi Village, Sathankulam Taluk, Thoothukudi District based on the petitioner's



representation dated 06.12.2021 within a time frame to be fixed by this Court.

2.The petitioner has sought to rectify Patta No.867. According to the petitioner, the fourth respondent's name has been wrongly included in Patta No.867 in respect of Survey No.2/1. In such circumstances, the petitioner has given a representation on 06.12.2021 to the second respondent, requesting him to make necessary corrections. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.J.David Ganesan, learned Counsel appearing for the writ petitioner and Mr.B.Saravanan, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 3.

4.At the outset, learned Additional Government Pleader for the official respondents would submit that the representation ought to have been given by the petitioner to the District Revenue Officer, Thoothukudi District, whereas the same has been given to the second respondent.

5.Learned Counsel for the petitioner would now submit that the petitioner is willing to submit a fresh representation to the District Revenue Officer, Thoothukudi District seeking for correction in Patta No.867, wherein according to the petitioner the name of the fourth respondent has been wrongly included in respect of Survey No.2/1. The said statement is recorded.

6.No prejudice would be caused if the petitioner's representation is considered by the District Revenue Officer, Thoothukudi District on merits and in accordance with law after affording a fair hearing to the petitioner and the fourth respondent and any other necessary party whom the District Revenue Officer, Thoothukudi District deems fit to enquire.

7.For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the District Revenue Officer, Thoothukudi District, fifth respondent herein [*suo motu* impleaded by this Court] requesting for correction of Patta No.867 in respect of Survey No.2/1 in which the name of the fourth respondent has been wrongly included, within a period of one [1] week from the date of receipt of a copy of this order. On receipt of the said representation, the District Revenue Officer, Thoothukudi District is directed to consider the same on merits and in accordance with law after affording a fair hearing to the petitioner and the fourth respondent and any other necessary party, whom the District Revenue Officer, Thoothukudi District deems fit to enquire and pass final orders within a period of twelve [12] weeks thereafter.



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

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)

MR

To

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Revenue Divisional Officer,
Thiruchendur,
Thoothukudi District.
3. The Tahsildar,
Sathankulam Taluk,
Thoothukudi District.
4. The District Revenue Officer,
Thoothukudi District.

+1 CC to M/s.J.DAVID GANESAN, Advocate (SR-15203[F] dated
29/03/2022)

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29.03.2022

NSN(CO)

KB(08.04.2022) 3P 6C