



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.5668 of 2022

WEB COPY

M.Zavior Michael

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Deputy Collector,
Office of the Deputy Collector,
Kodaikanal Taluk,
Dindigul District.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Kodaikanal Taluk,
Dindigul District.

4.The Tahsildar,
Taluk Office,
Kodaikanal Taluk,
Dindigul District.

5.Jayabal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to expeditiously complete the proceeding in Na.Ka.No.568/2020/A1 dated 23.12.2020 on the file of the second respondent by considering the petitioner's representation dated 15.03.2022, within a time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents 1 to 4 : Mr.M.Lingadurai
Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for early disposal of the proceedings pending before the second respondent.



2. According to the petitioner, he is the absolute owner of the property comprised in Survey No.2410/8, measuring an extent of 1.20.0 hectares situated in Villpatti Village, Kodaikanal Taluk, Dindigul District and a DKT patta has also been issued in his name. However, fraudulently the fifth respondent has obtained a patta for the very same property in his name. The petitioner has submitted a representation on 15.03.2022 with the second respondent seeking for cancellation of the patta issued in favour of the fifth respondent. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.R.Alagumani, learned Counsel appearing for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the respondents 1 to 4.

4. No prejudice would 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 fifth respondent and any other necessary party whom the third respondent deems fit to enquire. Along with this writ petition, the petitioner has filed documents in support of his claim that he is the owner of the subject property and a DKT patta has been issued in his favour. It is for the second respondent to consider the same on merits and in accordance with law.

5. For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's representation requesting for cancellation of patta issued in favour of the fifth respondent for the property comprised in Survey No.2410/8, measuring an extent of 1.20.0 hectares situated in Villpatti Village, Kodaikanal Taluk, Dindigul District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and the fifth respondent and any other necessary party whom the second respondent deems fit to enquire within a period of three [3] months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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



To

- 1.The District Collector,
Dindigul District,
Dindigul.
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Dindigul District.
- 3.The Revenue Divisional Officer,
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Kodaikanal Taluk,
Dindigul District.
- 4.The Tahsildar,
Taluk Office,
Kodaikanal Taluk,
Dindigul District.

+1 CC to M/s.SPL GP (SR-15725[F] dated 31/03/2022)

W.P. [MD]No.5668 of 2022

30.03.2022

RK(08/04/2022) 3P 6C