



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7327 of 2022

A.Ismathullah

... Petitioner

/Vs./

1.The District Collector,
Ramanathapuram.

2.The Revenue Divisional Officer,
Ramanathapuram.

3.The Tahsildar,
Ramanathapuram

... Respondents

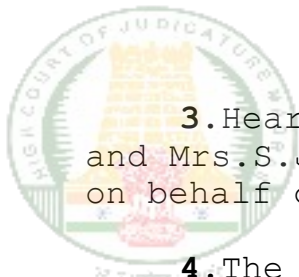
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 28.02.2022 and to restore the Patta No.362 of Athankarai Village, Ramanathapuram District to the joint names of Mohamed Abubakkar, Son of Vellai Rowthar, Hanifa, Son of Ibramsha and Jumma Beevi, daughter of Mohamed Abubakkar within time frame that may be stipulated by this Court.

For Petitioner : Mr.J.Barathan
For Respondents : Mrs.S.Jeyapriya,
Government Advocate.

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the third respondent to restore the Patta No.362 in respect of the property at Athankarai Village, Ramanathapuram District in the joint names of Mohamed Abubakkar, Son of Vellai Rowthar, Hanifa, Son of Ibramsha and Jumma Beevi, daughter of Mohamed Abubakkar within a time frame that may be stipulated by this Court.

2.According to the petitioner, one Jennath Beevi has been wrongly included in the aforementioned patta by the third respondent. In such circumstances, the petitioner has given a representation on 28.02.2022 to restore the names of the original persons as found in the earlier patta, namely, Patta No.362. Since the said representation has not been considered till date, the petitioner has filed this Writ Petition.



3.Heard Mr.J.Barathan, learned Counsel for the writ petitioner and Mrs.S.Jeyapriya, learned Government Advocate, who accepts notice on behalf of the respondents.

4.The petitioner has filed documents along with this Writ Petition, including Patta No.362 in respect of his property under which the said patta was earlier standing in the names of the aforementioned three persons only. The petitioner is now aggrieved by the inclusion of the said Jennath Beevi as one of the joint patta holders along with petitioner and others in Patta No.362. Therefore, the petitioner has given a representation dated 28.02.2022 to the respondents for the said purpose.

5.No prejudice would be caused to the respondents, if the representation of the petitioner dated 28.02.2022 is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and other persons named supra, including the said Jennath Beevi, who has been included in the patta.

6.For the foregoing reasons, this Court directs the second respondent to consider the representation of the petitioner dated 28.02.2022, seeking for restoration of the original patta, namely, Patta No.362 in respect of the property at Athankarai Village, Ramanathapuram District, which was standing in the joint names of Mohamed Abubakkar, Son of Vellai Rowthar, Hanifa, Son of Ibramsha and Jumma Beevi, daughter of Mohamed Abubakkar, and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and other persons named supra, including the said Jennath Beevi, who has been included in the patta, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The District Collector,
Ramanathapuram.



2.The Revenue Divisional Officer,
Ramanathapuram.

3.The Tahsildar,
Ramanathapuram.

+1 CC to M/s.T.R.JEYAPALAM, Advocate (SR-20022[F] dated 21/04/2022)

+1 CC to M/s.SPL.GP (SR-20081[F] dated 21/04/2022)

order made in
W.P.[MD]No.7327 of 2022
Dated:20.04.2022

RS (11.05.2022) 3P-6C