



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7591 of 2022

B.Vijayakumar

... Petitioner

/Vs./

- 1.The District Revenue Officer,
Madurai Collectorate,
Madurai District.
- 2.The Revenue Divisional Officer,
Madurai North RDO Office,
Madurai District.
- 3.The Tahsildar (North),
North Taluk Tasildar Office,
Madurai District.
- 4.The Village Administrative Officer,
Vilangudi I Bit Village,
Anjalnagar 2nd Street,
Nearby Water Tank, Madurai-18.

- 5.Murugan
- 6.Kumaresan
- 7.Kathiresan
- 8.Alagesan
- 9.Palanivelammal
- 10.Muthuselvi
- 11.Pushpalatha
- 12.Selvaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st to 4th respondents on the basis of the petitioner's representation dated 16.04.2022 to cancel the fraudulent Patta No.8880 in Ni.Mu.No.6090/2010/N subsequently, restore the petitioner's patta No.1488 in Revenue Records and collect kist from the petitioner as usual for his patta No.1488 within the stipulated time period fixed by this Court.

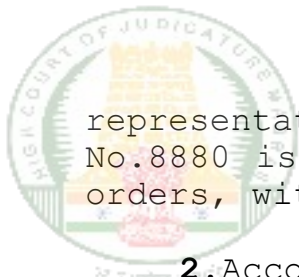
For Petitioner
For R1 to R4

: Mr.S.Sheik Hussain
: Mr.B.Saravanan,
Additional Government Pleader.

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 4 to consider the petitioner's

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representation dated 16.04.2022 seeking for cancellation of Patta No.8880 issued in favour of the respondents 5 to 12 and pass final orders, within the stipulated time period fixed by this Court.

2. According to the petitioner, the aforementioned patta has been fraudulently issued in the names of the private respondents in this writ petition. The petitioner has submitted a representation to the official respondents on 16.04.2022 seeking for cancellation of Patta No.8880 issued in favour of the respondents 5 to 12. Since the said representation has not been considered till date, this writ petition has been filed.

3. Heard Mr.S.Sheik Hussain, learned Counsel for the writ petitioner and Mr.B.Saravanan, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 4.

4. The petitioner has also filed documents along with this writ petition, under which he claims that he is the owner of the subject property. It is for the respondents to consider the same on merits and in accordance with law. The competent authority is the second respondent, who will have to consider the petitioner's representation on merits and in accordance with law.

5. No prejudice would be caused to the second respondent, if the representation of the petitioner dated 16.04.2022 is considered on merits and in accordance with law, after hearing the petitioner, the respondents 5 to 12 and any other necessary party, whom the second respondent deems fit to enquire.

6. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 16.04.2022 seeking for cancellation of Patta No.8880 issued in favour of the respondents 5 to 12 and pass final orders on merits and in accordance with law, after hearing the petitioner, the respondents 5 to 12 and any other necessary party, whom the second respondent deems fit to enquire, 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 (Writ)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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To

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

2.The Revenue Divisional Officer,
Madurai North RDO Office,
Madurai District.

3.The Tahsildar (North),
North Taluk Tasildar Office,
Madurai District.

4.The Village Administrative Officer,
Vilangudi I Bit Village,
Anjalnagar 2nd Street,
Nearby Water Tank, Madurai-18.

+1 CC to M/s.S. SHEIK HUSSIAN, Advocate (SR-20356[F] dated
22/04/2022)

+1 CC to M/s.SPL.GP. (SR-20540[F] dated 22/04/2022)

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DKS (CO)
KB(10.05.2022) 3P 7C