



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.8280 of 2022

M.Nainar

... Petitioner

Vs.

1.The District Collector,
Tirunelveli, Tirunelveli District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Cheranmadevi, Tirunelveli District.

3.The Tahsildar,
Thisayanvilai Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to conduct the enquiry over the issue of patta Nos.2770, 3049 against the petitioner's property situated in Survey Nos.52/2A, 52/3C, 55/3B, 55/3C and 55/3D to the extent of 5.75 acres at Thamaraikulam, Kannanalur Village, Thisayanvilai Taluk, Tirunelveli District by considering the petitioner's representation dated 31.03.2022.

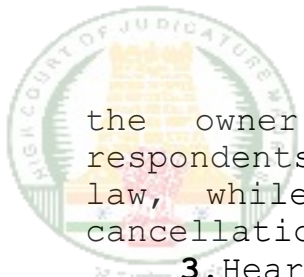
For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.M.Lingadurai,
Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pass final orders on the petitioner's representation dated 31.03.2022 seeking for cancellation of patta numbers 2770, 3049 issued in respect of the property comprised in Survey Nos.52/2A, 52/3C, 55/3B, 55/3C and 55/3D to the extent of 5.75 acres at Thamaraikulam, Kannanalur Village, Thisayanvilai Taluk, Tirunelveli District, within a time frame to be fixed by this Court.

2.According to the petitioner, he is the absolute owner of the aforementioned property. But despite the same, Patta Nos.2770 & 3049 for the very same property has been issued in the name of third parties. The petitioner has filed documents along with this writ petition including sale deeds to substantiate his case that he is



the owner of the aforementioned properties. It is for the respondents to consider the same on merits and in accordance with law, while they decide whether the petitioner is entitled for cancellation of the aforementioned pattas or not.

3. Heard Mr.S.Sivakumar, learned Counsel appearing for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4.No prejudice would be caused to the second respondent if the petitioner's representation dated 31.03.2022 seeking for cancellation of Patta Nos.2770 & 3049 is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the persons in whose name presently the said pattas stand and any other necessary party whom the second respondent deems fit to enquire.

5.For the foregoing reasons, this Court directs the second respondent to treat the representation dated 31.03.2022 submitted by the petitioner as a statutory appeal and thereafter pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and the persons in whose names patta Nos.2770 & 3049 stand 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 above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

1.The District Collector,
Tirunelveli, Tirunelveli District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Cheranmadevi, Tirunelveli District.

3.The Tahsildar,
Thisayanvilai Taluk,
Tirunelveli District.

+1 CC to M/s.S.SIVA KUMAR, Advocate (SR-22336[F] dated 28/04/2022)
+1 CC to M/s.SPL. GP (SR-23082[F] dated 29/04/2022)

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MGJ(17.05.2022) 2P 6C

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