



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.8338 of 2022

B.Meenakshi Sundaram

... Petitioner

vs.

1.The Revenue Divisional Officer,
Sivagangai, Sivagangai District.

2.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

3.Arumugaperumal mari

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1 and 2 respondents herein to consider the representation of the petitioner dated 01.04.2022 submitted to the 1st and 2nd respondents herein to cancel the patta number 1639 in S.No.97/2 and patta number 1640 in S.No.97/4 in the name of the 3rd respondent trust name as Shri Kalalagar Annadhana Trust and to restore the join patta number 1242 in respect of S.Nos.97/2 and 97/4 as per the records produced by the petitioner before the 1st and 2nd respondents.

For Petitioner : Mrs.S.Mahalakshmi
For R1 and R2 : 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 1 and 2 to consider the petitioner's representation, dated 01.04.2022 seeking for cancellation of patta number 1639 in S.No.97/2 and patta number 1640 in S.No.97/4 in the name of the 3rd respondent trust name as Shri Kalalagar Annadhana Trust and to restore the joint patta number 1242 in respect of S.Nos.97/2 and 97/4 in favour of the petitioner within a time frame to be fixed by this Court.

2.The petitioner claims that he is the absolute owner of the aforementioned property. According to the petitioner, Patta Nos.1639 and 1640 for S.Nos.97/2 and 97/4 respectively have been issued in the name of Shri Kalalagar Annadhana Trust. According to the petitioner, earlier Patta No.1242 stood in the joint names of the petitioner and his family members for the said properties, which has been wrongly cancelled illegally. The petitioner has given a



representation on 01.04.2022. Admittedly, no final orders have been passed by the first respondent on the said representation.

3.No prejudice will 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 third respondent as well as Sri Kallalagar Trust and any other necessary party, whom the first respondent deems fit to enquire.

4.For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation, dated 01.04.2022 seeking for cancellation of patta number 1639 in S.No.97/2 and patta number 1640 in S.No.97/4 in the name of the 3rd respondent trust, namely, Shri Kalalagar Annadhana Trust and to restore the join patta number 1242 in respect of S.Nos.97/2 and 97/4 in favour of the petitioner within a period of fourth months from the date of receipt of a copy of this order after affording a fair hearing to the petitioner and the third respondent as well as Sri Kalalagar Trust and any other necessary party, whom the first respondent deems fit to enquire. This Court makes it clear that this Court has not expressed any opinion on the merits of the respective contentions. The petitioner is directed to produce all the relevant documents/records to substantiate his case before the first respondent.

5.With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The Revenue Divisional Officer,
Sivagangai, Sivagangai District.

2.The Tahsildar,
Sivagangai Taluk, Sivagangai District.

+1 CC to M/s.S.MAHALAKSHMI, Advocate (SR-22005[F] dated 28/04/2022)
+1 CC to M/s.SPL. GP (SR-23053[F] dated 29/04/2022)

Order made in
W.P. (MD)No.8338 of 2022
27.04.2022

RS (25.05.2022) 2P-5C

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