



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.8847 of 2022

Sundari

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The District Revenue Officer,
Tirunelveli District, Tirunelveli.

3.The Sub-Collector,
Cheranmahadevi,
Tirunelveli District.

4.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

5.Kumara Murugeasn @ Murugeasan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to cancel the name of the fifth respondent from Patta bearing No.1492 with regard to property admeasuring Hec 0.5.25 in Survey No.1463 /3B of Vadakku Vallior Part II Village, Radhapuram Taluk, Tirunelveli District, by considering the petitioner's representation dated 26.11.2021.

For Petitioner : Mr.S.R.Anbarasu

For R-1 to R-4 : Mr.T.Amjad Khan
Government Advocate

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to cancel the name of the fifth respondent from the patta bearing No.1492 with regard to property admeasuring 0.5.25 Hec in Survey No.1463 /3B of Vadakku Vallior Part II Village, Radhapuram Taluk, Tirunelveli District, based on the petitioner's representation dated 26.11.2021, within a time frame to be fixed by this Court.

2.The petitioner is aggrieved by the inclusion of the name of the fifth respondent in Patta No.1492. The petitioner has given a

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representation to the official respondents seeking for deletion of the fifth respondent's name.

3.The competent authority to decide the same is the third respondent. The representation given by the petitioner dated 26.11.2021 is treated as a statutory appeal.

4.No prejudice would be caused to the official respondents if the petitioner's statutory appeal seeking for deletion of the name of the fifth respondent in Patta No.1492, 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.

5.For the foregoing reasons, this Court directs the third respondent to pass final orders on the petitioner's representation dated 26.11.2021 which is treated as a statutory appeal within a period of twelve [12] weeks from the date of receipt of a copy of this order 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.

6.With the aforesaid 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,
Tirunelveli District, Tirunelveli.

2.The District Revenue Officer,
Tirunelveli District, Tirunelveli.

3.The Sub-Collector,
Cheranmahadevi, Tirunelveli District.

4.The Tahsildar,
Radhapuram Taluk, Tirunelveli District.

+1 CC to M/s.SPL.GP (SR-23185[F] dated 02/05/2022)

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29.04.2022

RS (26.05.2022) 2P-6C

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