



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.10815 of 2021

R.Muthumani

... Petitioner

vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The District Revenue Officer,
Ramanathapuram District.

3.The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

4.K.Muthusamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to disposal on petitioner's pending application No.OO.Mu/Gee3/66537/2014 dated 03.2015 to change the UDR Patta in favour of the all joint family are equal within a time frame that may be fixed by this Court.

For Petitioner :Mr.M.Muniasamy

For R1 to R3 :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 first respondent to dispose of the petitioner's pending application, dated March 2015 requesting for change of UDR in favour of the joint family within a time frame to be fixed by this Court.

2.The contention of the petitioner in this Writ Petition is that illegally, the patta has been transferred in the name of the fourth respondent, who is his brother, though originally patta stood in the name of the family members of the petitioner, which includes the petitioner as well as the fourth respondent. The petitioner has earlier given a representation in the month of March 2015 to the official respondents calling upon them to cancel the patta issued in favour of the fourth respondent. Since the said representation was not considered, the petitioner has filed this Writ Petition.



3.Heard Mr.M.Muniasamy, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader for the respondents 1 to 3.

4.Since the representation, based on which the petitioner has filed this Writ Petition, is a very old representation of the year 2015, the learned Special Government Pleader appearing for the official respondents would submit that the petitioner will have to give a fresh representation to the second respondent and only then, the second respondent will be in a position to consider the request of the petitioner seeking to cancel the patta issued in favour of the fourth respondent.

5.The learned Counsel for the petitioner agrees for the statement made by the learned Special Government Pleader.

6.Accordingly, this Court directs the petitioner to submit a fresh representation seeking for cancellation of patta standing in the name of the fourth respondent in Patta No.635 through online to the second respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said application, the second respondent shall pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner as well as the fourth respondent and any other necessary party, whom the second respondent deems fit to enquire, within a period of twelve weeks thereafter.

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

Sd/-

Assistant Registrar (Crl side)

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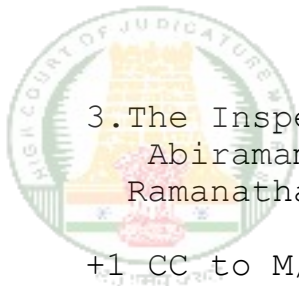
Sub Assistant Registrar(CS)

cmr

To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The District Revenue Officer,
Ramanathapuram District.



3.The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

+1 CC to M/s.SPL.GP (SR-20105[F] dated 21/04/2022)

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