



W.P.(MD)No.12878 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2022

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12878 of 2022

Muthulakshmi

... Petitioner

Vs

- 1.The District Collector,
District Collector's Office,
Madurai.
- 2.The District Revenue Officer,
District Revenue Office,
Madurai.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Madurai.
- 4.The Tahsildar,
Tahsildar Office,
Madurai South,
Thirupparankundram,
Madurai District.
- 5.R.Radhe Shyam Agarwal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 to 4 to issue patta to the petitioner in Old S.F.No.31/5 and New S.F.No.31/10 with an extent



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of 5 cents in Plot No.12, Thoppur Village, Madurai South Taluk, Madurai District by considering the petitioner's representation, dated 04.05.2022.

For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.M.Prakash
Additional Government Pleader for R.1 to R.4

No Appearance for R.5

ORDER

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 1 to 4. Though notice has been issued to the fifth respondent, it was returned unserved.

2.It is seen that the petition mentioned lands were part of the ancestral property belonging to one Mayandi Thevar. The lands were settled in favour of Parasakthi later. Parasakshi developed a layout. Plot No.12 was sold in favour of the writ petitioner in the year 1973. It appears that what was sold to the petitioner was again resold by the brother of Parasakthi in favour of the fifth respondent. Based on the same, the fifth respondent got his name entered in the revenue records and patta was also issued in his favour. Questioning the same, the petitioner moved the Revenue Divisional Officer, Madurai. Vide proceedings dated 10.12.2012, the Revenue Divisional Officer directed cancellation of the name of the fifth respondent and restoration of the name of



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Mayandi Thevar. Aggrieved by the same, the fifth respondent filed a revision petition before the District Revenue Officer, Madurai. Since he did not pursue the same, the revision was dismissed for non-prosecution on 09.03.2022 and the fifth respondent was directed to move the jurisdictional civil Court. Seeking enforcement of the earlier order, the present writ petition has been filed.

3.When the matter was taken up for hearing, the learned Additional Government Pleader submitted that O.S.No.138 of 2021 has been filed by the fifth respondent herein before District Munsif Court, Thirumangalam. It is seen that no interim order has been granted therein. The fourth respondent shall give effect to the order passed by the third respondent for restoring the name of the Mayandi Thevar within a period of six weeks from the date of receipt of a copy of this order after he satisfies himself that there is no interim order passed in favour of the fifth respondent in the said civil suit.

4.With the aforesaid direction, this writ petition is disposed of. No costs.

04.07.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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