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W.P.(MD)NO.19186 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.19186 of 2022

Palaniappa Vidyalayam
Regn. No.26(3)/1926 and 10(3)1938,
Palanichettipatti Village, Theni District,
Rep. by its President Pasupathi Ram Kumar.

... Petitioner

Vs.

- 1 The District Collector,
Theni District.
- 2 The Revenue Divisional Officer,
Periyakulam Taluk, Theni District.
- 3 The Tahsildar,
Theni.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to pass orders on the report of the 3rd respondent herein in Na.Ka. No.10337/2014/A3 dated 10.12.2014 recommending to grant patta to the petitioner as per the proceedings of assignment issued by the Collector and Special Officer, District Board, Madurai, No.21, dated 30.09.1942 excluding 38 cents from the control of the District



Board thereby directing the Collector of Madurai to take necessary action for providing extra accommodation to the petitioner school within a reasonable time.

For Petitioner : Mr.K.Appadurai

For Respondents: Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner claims title over the petition mentioned land. He seeks issuance of patta as per the Patta Pass Book Act. The Tahsildar is the authority competent to pass order. It appears that the third respondent had already conducted an enquiry and referred the matter to the Revenue Divisional Officer.

3. I am of the view that the third respondent himself can pass final order. The second respondent is only the appellate authority. The third respondent is directed to



enquire into the petition mentioned representation, hear the petitioner and pass final order on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

4. I make it clear that I have not gone into the merits of the matter. The third respondent shall put all the interested parties on notice before passing final order. It is open to the third respondent to pass order one way or the other. This writ petition stands disposed of accordingly. No costs.

23.08.2022

Index : Yes / No

Internet : Yes/ No

PMU

To:

- 1 The District Collector,
Theni District.
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Periyakulam Taluk, Theni District.
- 3 The Tahsildar,
Theni.



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G.R.SWAMINATHAN,J.

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