



W.P.(MD)No.19192 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.11.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.19192 of 2022

S.Madasamy

.. Petitioner

Versus

1.The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.

2.The Tahsildar,
Kayathar Taluk,
Tuticorin District.

3.G.Ramalakshmi

4.G.Ayyalusamy

5.G.Sankar

6.G.Subbulakshmi

7.G.Murugaswari

8.G.Krishnamoorthy

.. Respondents

[R3 to R8 are impleaded vide order dated 15.09.2022,
made in W.M.P.(MD)No.14504 of 2022]

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation/appeal petition submitted by the petitioner, dated 15.06.2022, to cancel Patta No.646, granted in favour of Gurusamy Nayakkar's legal heirs and restore Patta No.112 in the name of petitioner in respect of land in S.Nos.132B/11, 139B/6A and 139/6B, in Sundareshwarapuram Village,



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Kayathar Taluk, Tuticorin District, respectively, within a time frame to be fixed by this Court.

For Petitioner : Mr.T.Chandrasekaran
For Respondents 1 and 2: Mr.A.Kannan
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation/appeal petition submitted by him, dated 15.06.2022, to cancel Patta No.646, granted in favour of Gurusamy Nayakkar's legal heirs and restore Patta No.112 in his name in respect of land in S.Nos.132B/11, 139B/6A and 139/6B, in Sundareshwarapuram Village, Kayathar Taluk, Tuticorin District, respectively, within a time frame.

2. The case of the petitioner is that, he purchased the agricultural properties, comprised in S.Nos.132B/11, 139B/6A and 139/6B, measuring an extent of 1 Acres and 5 Cents from one Gurusamy Nayakkar, through an unregistered sale deed. After the said purchase, the petitioner is in possession and enjoyment of the said properties. While the things stood thus, the legal heirs of the Gurusamy Nayakkar created fraudulent documents and obtained a Patta, bearing No.646 in respect of the said properties.



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3. According to the petitioner, the second respondent, without any notice to the petitioner, cancelled the Patta granted in favour of the petitioner. Hence, the petitioner sent a representation, dated 15.06.2022, to the respondents 1 and 2. However, the same has not been considered so far. Therefore, the petitioner has approached this Court by way of filing the present Writ Petition, for the relief stated supra.

4. The learned Additional Government Pleader appearing for the respondents submitted that the petitioner's representation dated 15.06.2022, would be considered and appropriate orders would be passed by the respondents, on merits and in accordance with law, within a time frame.

5. Recording the above said submissions made by the learned Additional Government Pleader appearing for the respondents, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation, dated 15.06.2022, and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to all the necessary parties concerned, within a period of 16 weeks from the date of receipt of a copy of this order.



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6. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No

24.11.2022

To

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2.The Tahsildar,
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V.BHAVANI SUBBAROYAN, J.

smn2

Order made in
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