



W.P.(MD)No.21196 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.21196 of 2022

Chinnaponnu

.. Petitioner

Vs.

1.The Revenue Divisional Officer,
Vannankovil,
Trichy District.

2.The Tahsildar,
Manapparai Taluk,
Trichy District.

3.Selvam

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the second respondent to cancel the patta stands in the name of the third respondent for the land in S.F.No. 206/10 situated at Pannapatti, Vellalpatti Village, Manapparai Taluk, Trichy District and to issue patta in petitioner's name for the land in S.F.No.206/10 situated at Pannapatti, Vellalpatti Village, Manapparai Taluk, Trichy District based on the petitioner's representation dated 27.07.2021.

For Petitioner	: Mr.J.Sivaram
For R1 & R2	: Mr.A.Kannan
	Additional Government Pleader
For R3	: Mr.K.Prabhakar



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ORDER

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This Writ Petition has been filed for issuance of Writ of Mandamus, directing the second respondent to cancel the patta stands in the name of the third respondent for the land in S.F.No.206/10 situated at Pannapatti, Vellalpatti Village, Manapparai Taluk, Trichy District and to issue patta in petitioner's name for the land in S.F.No.206/10 situated at Pannapatti, Vellalpatti Village, Manapparai Taluk, Trichy District based on the petitioner's representation dated 27.07.2021.

2.The grievance of the petitioner is that the representation submitted by the petitioner, seeking to cancel the patta, which was fraudulently obtained by the third respondent herein, has not been considered.

3. The learned counsel for the petitioner submitted that the property in S.F.No.206/9 and S.F.No.206/10 belong to the father of the petitioner. After his demise, the petitioner is in peaceful possession. While so, the third respondent, who is a third party to the property, had obtained patta for the said properties in his favour by means of forged documents. Hence, seeking to cancel the said patta, the petitioner made a representation dated 27.07.2021 before the respondents. The same has not been considered. Hence, the petitioner has filed the present writ petition.



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4. The learned Additional Government Pleader appearing for the official respondents, on instructions, submitted that the representation of the petitioner is pending for consideration and the same will be considered shortly.

5. No prejudice would be caused to the respondents, if the representation of the petitioner dated 27.07.2021 is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.

6. Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the representation of the petitioner, dated 27.07.2021, seeking to cancel the patta issued in favour of the third respondent, on merits and in accordance with law, after issuing notice of hearing to the petitioner, as well as the rival claimants, if any, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

28.11.2022

Index : Yes/No

Internet : Yes/No

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V.BHAVANI SUBBAROYAN, J.

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To

1.The Revenue Divisional Officer,
Vannankovil,
Trichy District.

2.The Tahsildar,
Manapparai Taluk,
Trichy District.

Order made in
W.P.(MD) No.21196 of 2022

28.11.2022