



W.P.(MD).No.17515 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.17515 of 2016

Anush Narayanan

... Petitioner

-VS-

1. The District Revenue Officer (DRO)
Sivaganga,
Sivaganga District.

2. The Revenue Divisional Officer (RDO)
Devakottai,
Sivaganga District.

3. The Tahsildar,
Karaikudi Taluk,
Karaikudi,
Sivaganga District.

4. Ravindran

5. Subbaiah

6. Baskaran

7. Vellaisamy

8. Vallikannu

9. Chithra

10. Senthilnarayanan

.... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent to delete the name of respondents 4 to 9 from patta issued for S.No.655/2 of an extent of 0.81.0 hectares equivalent to 2 acres corresponding to Plot No.27 in Block No.8 of Kottaiyur Nattar Layout in Kottaiyur, Karaikudi Taluk, Sivaganga District and to issue Fresh Patta in name of the petitioner and in the name of 10th respondent herein by restoring Status – Quo Anti.

For Petitioner	: Mr.R.Sundar Srinivasan
For R-1 to R-3	: Mr.M.Lingadurai Special Government Pleader
For R-4 to R-7 and R-9	: Mr.V.R.Shanmuganathan For Mr.AL.Kannan
For R-8 & R-10	: No Appearance

ORDER

The present Writ Petition has been filed for a Writ of Mandamus seeking a direction as against the third respondent to delete the name of the respondents 4 to 9 from the patta in Survey No.655/2.



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2. According to the learned counsel for the petitioner, the name of the private respondents were included in the joint patta by way of the order passed by the first respondent herein, by his order, dated 06.07.2012. The said order was challenged by the writ petitioner in W.P(MD) No.10961 of 2012. The learned Single Judge of this Court was pleased to allow the Writ Petition, on 01.02.2013, directing the deletion of the name of the private respondents from the joint patta.

3. The learned counsel for the petitioner further submits that though the order of the first respondent, was set aside by this Court, the third respondent is yet to implement the said order of this Court and the name of the private respondents are continuing in the joint patta. Hence, he prayed for allowing the Writ Petition.

4. The learned counsel for the private respondents submit that they are claiming independent title to the property and hence the right of the private respondents to agitate the same may be left open. This Court, has set aside the order passed by the first respondent herein, on 06.07.2012, and directed



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the deletion of the name of the private respondents from the joint patta. So far, the third respondent not carried out the said order.

5. In view of the above said facts, this Writ Petition stands allowed. The third respondent is directed to issue separate patta in the name of the writ petitioner with regard to Survey No.655/2 to an extent of 0.81.0 hectares. However, grant of patta in favour of the writ petitioner, is subject to the result of the judgment and Decree in O.S.No.177 of 2014. No costs.

28 .09.2022

Index : Yes / No
Internet : Yes / No

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R.VIJAYAKUMAR,J.

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