



W.P(MD)No.27385 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

W.P(MD)No.27385 of 2022

K.R.Chandrasekar

... Petitioner

VS.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

4.J.Dhanabalan

5.M.Meenambal

6.D.Jayamani

7.Pandi Lakshmi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein to cancel the patta in Survey Nos.214/2A1, 214/2A3, 214/2A1A, 214/2A13, 214/4, 214/5 and 214/6 in the name of the respondents 4 to 7

1/5



W.P(MD)No.27385 of 2022

and consequently directing the respondents 1 to 3 to take appropriate action against the erring officials who have illegally issued patta to the abovesaid persons.

For Petitioner : Mr.S.Bharathy Kannan

For RR 1 to 3 : Mr.P.Thilak Kumar
Government Pleader

For R – 4 : Mr.V.Devakumar

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The prayer in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein to cancel the patta in Survey Nos.214/2A1, 214/2A3, 214/2A1A, 214/2A13, 214/4, 214/5 and 214/6 in the name of the respondents 4 to 7 and consequently directing the respondents 1 to 3 to take appropriate action against the erring officials who have illegally issued patta to the abovesaid persons.

2.Seeking cancellation of patta issued in favour of the respondents 4 to 7 with regard to the property in question which is classified as water body, the petitioner made a representation, dated 09.11.2022 to the respondents 1 to 3, but till date, no action has been taken thereon. Hence, this Writ Petition.

2/5



W.P(MD)No.27385 of 2022

WEB COPY

3.The learned Government Pleader appearing for the respondents 1 to 3 submitted that the representation of the petitioner, dated 09.11.2022 would be considered on merits and in accordance with law, within a time frame.

4.Considering the abovesaid submissions, the second respondent is directed to consider the representation of the petitioner, dated 09.11.2022 and after issuing notice and conducting survey in the presence of all the parties concerned, the second respondent shall decide as to whether the subject survey numbers are water bodies or Government poramboke lands. If the second respondent finds that the subject place are water bodies or Government poramboke lands, then he shall take necessary action to cancel the pattas granted in respect of the said survey numbers and then remove the encroachments thereon, after affording sufficient opportunity of personal hearing to all the parties concerned including the respondents 4 to 7 and by following due process of law. Such an exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.



W.P(MD)No.27385 of 2022

WEB COPY

5. With the above direction, this Writ Petition is disposed of. No costs.

[R.M.D.,J.] [J.S.N.P.,J.]
02.12.2022

Index : Yes / No
Internet : Yes
ps

To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
- 3.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.



WEB COPY



W.P(MD)No.27385 of 2022

R.MAHADEVAN,J.
and
J.SATHYA NARAYANA PRASAD,J.

ps

ORDER MADE IN
W.P(MD)No.27385 of 2022

DATED : 02.12.2022