



W.P(MD)No.28070 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28070 of 2022

and

W.M.P.(MD)Nos.22145, 22146 & 22147 of 2022

K.Matheswari

... Petitioner

Vs.

1.The Commissioner of Land Reforms,
O/o. the Commissioner of Land Reforms,
Chepauk, Chennai.

2.The District Collector,
O/o. the District Collector,
Tiruchirappalli District,
Tiruchirappalli.

3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Musiri,
Tiruchirappalli District.

4.The Tashsildar,
O/o. The Tahsildar,
Thuraiyur Taluk,
Tiruchirappalli District.

5.Ganapathy

6.Pushpalatha

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned settlement patta issued by the fourth respondent vide his proceedings HSO No.26/1414, dated 16.06.2005 and the consequential proceedings issued by the fourth respondent vide Na.Ka.No.A2/1065/2018, dated 30.08.2022 and quash the same and consequently, directing the respondents 1 to 4 to cancel the patta issued to the respondents 5 & 6 in respect of Natham land in Survey No.555/40 and 555/46 situated at Kottaiyur Village, Thuraiyur Taluk, Tiruchirappalli District.

For Petitioner : Mr.D.Shanmugaraja Sethupathi

For Respondents : Mr.M.Lingadurai
Special Government Pleader for R1 to R4

: Mr.K.Sivabalan for R5 & R6

ORDER

Heard the learned counsel on either side.

2. The petitioner is aggrieved by issuance of free house site patta in favour of the respondents 5 & 6. According to the petitioner, the respondents 5 & 6 are not eligible for the same. The petitioner has given a complaint before the third respondent.



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3. The learned counsel appearing for the private respondents sought time to file counter affidavit. He states that the writ petition suffers from suppression of material facts. Since I am not going into the merits of the matter, I am of the view that the case need not be adjourned for this reason.

4. The third respondent is directed to hold an enquiry. The third respondent will hear not only the petitioner but also the respondents 5 & 6 before passing final order. I make it clear that I have not gone into the merits of the matter. All the contentions and defences of the respondents 5 & 6 are left open. It is open to the third respondent to pass order one way or other. Enquiry shall be concluded and final order shall be passed within a period of twelve weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

22.12.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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