



WP(MD)No.4125 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.4125 of 2020

K.Karthigairajan

...Petitioner

/Vs./

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 3.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.
- 4.The Sub Registrar,
O/o. The Sub Registrar,
Ramanathapuram,
Ramanathapuram District.
- 5.N.Baskara Kumaara Shanmugam @ Kumaran Sethupathi
- 6.R.Mangalanathadurai
- 7.V.Muniyandi
- 8.J.Logithasan
- 9.J.Kannan



WP(MD)No.4125 of 2020

10.J.Rajinikanth

11.M.Kanagavalli

12.N.Naganathan

13.M.Alla Pitchai

14.Chellavappa

15.B.Ananthan

16.K.Thangavel

17.K.Malaiselvi

18.A.Nagalakshmi

19.M.Murugesan

20.M.Katharmideen

21.Mohamed Ali

22.S.Kannan

23.R.Raju

24.Arasu

25.R.Gomathi

26.M.Ganapathi

27.M.Kumaresan

28.T.Shanmugam

29.M.Karpagam

30.N.Mageshwari

31.Kannusamy

32.Mohamed Nasar

33.Selvathu Nisha Begam

34.Gajendran

35.Chinnakannu

36.Velu



WP(MD)No.4125 of 2020

37.Raja
38.Kaliyammal
39.Banumathi
40.Murugan
41.Rajagopal
42.Meenakshi

...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd Respondent herein to cancel the Patta in respect of the Town G.R.S.Nos.303/4 to 303/17 and 303/19 to 303/38 (Town Survey Nos.56 to 138) in Ward C,Block-22, to an extent of 1 Acre 68 cents in Ramanathapuram Town, Soorankottai Group, Ramanathapuram District, as against the respondents 8 to 42 and consequently direct the 2nd respondent to conduct the enquiry in accordance with law, based on the petitioner's representation dated 24-09-2019, within time stipulated by this Court.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Ms.D.Farjana Ghoushia (R1 to R4)

Special Government Pleader

Mr.Ramsundarvijayaraj

(Respondents 5, 7, 10 to 12, 15 to 17, 19
to 21, 28, 31, 34, 38, 39 & 42)



WP(MD)No.4125 of 2020

WEB COPY

ORDER

This writ petition has been filed for issuance of writ of mandamus, directing the third respondent to act upon the representation made by the petitioner on 24.09.2019 and to cancel the patta granted in favour of the respondents 8 to 42 with respect to the subject property.

2. Heard Mr.D.Balamurugapandi, learned counsel appearing for the petitioner, Ms.D.Farjana Ghoushia, learned Special Government Pleader appearing for the official respondents and Mr.Ramsundarvijayaraj, learned counsel for the respondents 5, 7, 10 to 12, 15 to 17, 19 to 21, 28, 31, 34, 38, 39 & 42.

3. The case of the petitioner is that subject property originally belonged to a community and there was an agreement between the community people to enjoy the property among themselves. A suit came to be filed in O.S.No.97 of 1997 before the Sub Court, Ramanathapuram by the fifth respondent on the basis of an alleged forged document claiming right over the property. The subject matter in the said suit pertains to S.No.303/4 measuring to an extent of 1 acre 68 cents. Based on the compromise decree, that was passed in this suit, an



WP(MD)No.4125 of 2020

attempt was made to grab even the subject property. Accordingly, an application was made before the revenue authority and the respondents 8 to 42 had managed to mutate their names in the revenue records. In the said process, they had included in the patta GRS Nos.303/4 to 303/17 and 303/19 to 303/38 totally measuring to an extent of 1 acre 68 cents.

4. The petitioner aggrieved by the same, made a representation before the third respondent to cancel the patta with respect to the above properties that were given in favour of the respondents 8 to 42. Since the same was not acted upon, the present writ petition has been filed before this Court seeking for appropriate direction.

5. Taking into consideration the facts and circumstances of the case, the limited relief sought for in this writ petition and without going into the merits of the matter, there shall be a direction to the third respondent to consider the representation made by the petitioner on 24.09.2019 by conducting an enquiry putting on notice to all the interested parties and final order shall be passed on its own merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order.



WP(MD)No.4125 of 2020

WEB COPY 6. This writ petition is disposed with the above directions. No costs.

04.10.2023

NCC : Yes/No
Internet :Yes/No
Index :Yes/No
sm



WP(MD)No.4125 of 2020

TO:

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 3.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.
- 4.The Sub Registrar,
O/o. The Sub Registrar,
Ramanathapuram,
Ramanathapuram District.



WEB COPY



WP(MD)No.4125 of 2020

N.ANAND VENKATESH, J.

sm

Order made in
W.P.(MD)No.4125 of 2020

Dated:
04.10.2023