



W.P.(MD).No.5858 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.5858 of 2021

R.Vijayakumar

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Revenue Officer,
Palani,
Dindigul District.

3.The Tahsildar,
Kujiliyamparai Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider and pass order on the petitioner's representation dated 25.01.2021 within a stipulated time.

For Petitioner : M/s.N.Gayathri,
For M.Maharaja

For Respondents : Mr.R.Suresh Kumar,
Additional Government Pleader



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ORDER

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This Writ Petition is filed for Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 25.01.2021.

2. The petitioner's grandfather, namely, Kuppa Nayakar had purchased the land in Survey No.51/2 to an extent of 1 acre and 10 cents at Chinanulppai Village, Kujiliyamparai Taluk, Dindigul District on 22.08.1968 from one Veerappa Konar. The petitioner's grandfather was in possession of the said property along with some other properties nearby the aforesaid property. In the meanwhile, the petitioner's grandfather had executed a gift deed and gifted the land in Survey No.51/2 to the petitioner and the same was registered as Document No.737 of 2020. Therefore, he had approached the third respondent to issue patta and the third respondent has issued patta in Patta No.56 to an extent of 39.00 Ares (96.33 cents). The contention of the petitioner is that the third respondent issued Patta for the said land and wrongly mentioned the extent of land as 39.00 Ares (96.33 cents) instead of 1 Acre 10 Cents.

3. According to the petitioner, there is no rival claimant, but the respondents shall ascertain that there is no rival claimants. The respondents shall issue notice to the petitioner as well as the rival claimants, if any.



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Thereafter, the respondents shall conduct enquiry and also conduct Survey in the presence of the claimants and pass appropriate orders in accordance with law. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. With these observations and directions, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

21.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Sml

To

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The District Revenue Officer,
Palani,
Dindigul District.
- 3.The Tahsildar,
Kujiliyamparai Taluk,
Dindigul District.



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S.SRIMATHY, J.

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