



W.P(MD)No.5517 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.5517 of 2023
and WMP(MD)No.6060 of 2023

S.Vellaikan

... Petitioner

Vs

1. The District Revenue Officer,
Ramanathapuram, Ramnad District.
2. The Revenue Divisional Officer,
Paramakudi, Ramanathapuram District.
3. Nagoor Kani
(3rd respondent impleaded as per order of this
Court dated 28.03.2023)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ Mandamus, directing the first respondent to dispose of the petitioner's revision petition in B10/53638/2022 on merits and in accordance with law, within a stipulated time fixed by this Court.

For Petitioner	: Mr.R.Velmurugan
For R1 and R2	: Mr.N.Muthu Vijayan Special Government Pleader



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ORDER

The Writ Petition has been filed in the nature of Mandamus seeking a direction against the first respondent/District Revenue Officer, Ramanathapuram, Ramnad District to dispose of the revision petition filed by the petitioner in B10/53638/2022 in accordance with law.

2.In the affidavit filed in support of the writ petition, the petitioner had stated that land in S.No.269/7B, Avathandai Group, Kuruvadi, Kadaladi Taluk, Ramanathapuram District measuring an extent of 0.24.5 Ares, equivalent to 38 cents was purchased in Doc.No.273 at Sub-Registrar Office, Sayalkudi from Abdulkani and his brother's sons Samsu Bibi, Sahul Hameed, Mohammed Ismail. There was also an independent agreement of sale, dated 13.07.1998 executed by Abdul Majeed.

3.The petitioner claims that the Tahsildar, Kadaladi Taluk had issued patta on 10.03.2000. Thereafter, one Nagoor Kani, who is now sought to be impleaded in WMP(MD)No.6060 of 2023, had given a petition before the second respondent on 01.04.2023 to cancel the patta. The second respondent in his proceedings in Na.Ka.No.A6/2952/2021 had rendered a



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finding that the patta has to be cancelled. Thereby, patta was cancelled as per order, dated 25.07.2022. The petitioner then filed a revision before the first respondent. The proposed respondent Nagoor Kani is also a party in the revision petition.

4. When the writ petition came up for admission, Nagoor Kani was not impleaded as a respondent in the writ petition. For that purpose, WMP(MD)No.6060 of 2023 had been filed. Since he is a necessary party, WMP(MD)No.6060 of 2023 is allowed. Registry is directed to implead the said Nagoor Kani as third respondent, before issuing the order copy.

5. The learned Special Government Pleader appearing for the first and second respondents had stated that notice not be directed to the said Nagoor Kani by the first respondent.

6. Based on the representation of the learned Special Government Pleader, a direction is given to the first respondent to issue notice not only to the petitioner, but also to the said Nagoor Kani/third respondent and take up the revision petition, examine the merits. Let the principles of natural justice



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be followed and after giving full opportunity to both parties to putforth their representations in oral and in writing, thereafter, pass necessary orders. The said exercise should be completed by the first respondent, on or before **30.06.2023.**

7.With the above directions, this writ petition stands disposed of.

No costs.

28.03.2023

NCS : Yes/No
Index : Yes / No
Internet: Yes/ No
PNM

To

1. The District Revenue Officer,
Ramanathapuram, Ramnad District.
2. The Revenue Divisional Officer,
Paramakudi, Ramanathapuram District.



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C.V.KARTHIKEYAN, J.

PNM

ORDER IN
W.P(MD).No.5517 of 2023
and WMP(MD)No.6060 of 2023

28.03.2023