



W.P(MD)No.5626 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.5626 of 2023
and
W.M.P(MD) No.6266 of 2023

St.Lucia Roman Catholic Mission,
represented by its Parish Priest
M.Jackson Arul,
son of Maria Philip

... Petitioner

(Cause title of the petitioner is amended as per
order of this Court dated 11.04.2023 in
W.M.P.(MD) No.6266 of 2023)

Vs.

1.The District Collector
Thoothukudi,
Thoothukudi District.



W.P(MD)No.5626 of 2023

2.The District Revenue Officer

Thoothukudi,

Thoothukudi District.

3.The Revenue Divisional Officer,

Thoothukudi,

Thoothukudi District.

4.The Tahsildar

Srivaigundam Taluk,

Thoothukudi District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 2 to 4 to consider the representation given by the petitioner dated 20.07.2021 taken on file in Na.Ka.D2/14585/2017 dated 10.08.2021 by the second respondent seeking to correct the UDR mistake and issue patta in the name of "Parish Priest".

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.N.Muthu Vijayan
Special Government Pleader



W.P(MD)No.5626 of 2023

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ORDER

W.M.P(MD) No.6266 of 2023 has been filed to amend the cause title of the petitioner as St.Lucia Roman Catholic Mission, represented by its Parish Priest M.Jackson Arul, son of Maria Philip instead of M.Jackson Arul son of Maria Philip.

2. It has been stated in the affidavit that the Parish Priest had given a representation to the respondents relating to grant of patta in his individual name. Now the writ petition was also filed in the individual name. By this amendment, it is stated that the Church should be the correct party to agitate the issue.

3. In view of the reasons stated, the **W.M.P(MD) No.6266 of 2023 is allowed.**

4. The Registry is directed to carry out necessary amendment in the cause title so far as the writ petitioner is concerned, before issuing the order copy.



W.P(MD)No.5626 of 2023

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5. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

6. The learned Special Government Pleader appearing for the respondents stated that the instructions have been received that the lands for which, the petitioner had sought issuance of patta, is actually natham land. But let me not enter into any further discussion on the said issue and relegate that privilege to the second respondent / District Revenue Officer, Thoothukudi.

7. A direction is given to the second respondent to issue notice to the authorised representative of the writ petitioner herein, examine the records and pass necessary orders after obtaining a report from the fourth respondent. The principles of natural justice may be kept in mind and adhered to. The entire exercise must be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.



W.P(MD)No.5626 of 2023

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8. With the above direction, the Writ petition stands disposed of. No costs.

11.04.2023

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

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Note : Registry is directed to carry out necessary amendment in the cause title

To

- 1.The District Collector
Thoothukudi,
Thoothukudi District.
- 2.The District Revenue Officer
Thoothukudi,
Thoothukudi District.
- 3.The Revenue Divisional Officer,
Thoothukudi,
Thoothukudi District.
- 4.The Tahsildar
Srivaigundam Taluk,
Thoothukudi District.

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W.P(MD)No.5626 of 2023

C.V.KARTHIKEYAN, J.

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W.P(MD)No.5626 of 2023

11.04.2023