



W.P.(MD)No.8444 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 17.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.8444 of 2021

Fasrin Ibrahim

... Petitioner

vs.

1.The District Collector,
Ramanathapuram District, Ramanathapuram.

2.The Revenue Divisional Officer,
Ramanathapuram, Ramanathapuram District.

3.The Superintendent of Police,
Ramanathapuram District, Ramanathapuram.

4.The Thasildar,
Ramanathapuram Taluk, Ramanathapuram District.

5.Luthupullah Khan

6.Riswana Begam

... Respondents

(R5 and R6 were impleaded vide order of this Court dated 30.04.2021 in W.M.P.(MD)No.6612 of 2021)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to conduct enquiry in respect of said fraudulent name change in Patta No.13, patta transfers in No.1787 and 2679 and restore the original patta



W.P.(MD)No.8444 of 2021

No.13 in the name of the petitioner's grandfather namely Ahamed and original joint patta in 1783 and also conduct enquiry against the erring officials of Ramanathapuram Taluk Office to take legal action against them, by considering the representation of the petitioner dated 19.12.2020.

For Petitioner	:Mr.R.Gowrishankar
For R1 to R2	:Mr.K.S.Selvaganesan Additional Government Pleader
For R3	:Mr.R.Sivakmar Government Advocate (crl.side)

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the first and second respondent to conduct enquiry on the representation made by the petitioner on 19.12.2020, wherein, the petitioner is seeking for cancellation of the patta granted in favour of the sixth respondent and to restore the original patta in favour of the grandfather of the petitioner.

2.The case of the petitioner is that joint patta was issued with respect to the subject properties. While so, the fifth and sixth respondents have managed to get the patta transferred in their names. Hence, an



W.P.(MD)No.8444 of 2021

appeal was filed before the second respondent for cancellation of patta and for restoration the patta to its original position. Since the same was not considered, the present Writ Petition has been filed before this Court.

3.The learned Government Advocate appearing on behalf of the third respondent submitted that the police complaint, that was given by the petitioner, as against the fifth respondent, was enquired and it was closed by directing the parties to workout their remedy before the Civil Court.

4.Insofar as the appeal filed before the second respondent, the learned Additional Government Pleader submitted that the petitioner shall be directed to give a fresh representation to the second respondent along with all the relevant documents and the second respondent will consider the same on its own merits and in accordance with law.

5.Taking into consideration the facts and circumstances of the case, there shall be a direction to the petitioner to make a fresh representation to the second respondent along with all the relevant documents and also a



W.P.(MD)No.8444 of 2021

copy of the representation dated 19.12.2020 and also a copy of this order and on receipt of the same, the second respondent shall issue notice to the petitioner and the fifth and sixth respondents and conduct an enquiry and take a decision on its own merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6.The Writ Petition is disposed of with the above directions. No costs.

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

17.10.2023

cmr



W.P.(MD)No.8444 of 2021

To
WEB COPY

- 1.The District Collector,
Ramanathapuram District, Ramanathapuram.
- 2.The Revenue Divisional Officer,
Ramanathapuram, Ramanathapuram District.
- 3.The Superintendent of Police,
Ramanathapuram District, Ramanathapuram.
- 4.The Thasildar,
Ramanathapuram Taluk, Ramanathapuram District.



WEB COPY



W.P.(MD)No.8444 of 2021

N.ANAND VENKATESH, J.

cmr

W.P.(MD)No.8444 of 2021

17.10.2023