



W.P(MD)No.5578 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 21.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P(MD)No.5578 of 2019
and
W.M.P(MD)Nos.4402 & 4403 of 2019 and 9028 & 9106 of 2021**

Kumaran

... Petitioner

-VS-

1. The District Collector,
Collectorate Office,
Ramanathapuram District.

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

3. The Revenue Divisional Officer,
Revenue Division Office,
Ramanathapuram District.

4. The Thasildar,
Taluk Office,
Ramanathapuram District.

5. The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

6. Javadhu Hussain

... Respondents



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WEB COPY PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to dispose the application pending before him filed by the petitioner in P6/29150/2018 dated 25.06.2018.

For Petitioner	: Mr.M.Subash Babu
For R1 to R4	: Mr.P.Thilak Kumar Government Pleader
For R5	: Mr.M.Veeranthiran Government Advocate (Criminal Side)
For R6	: Mr.D.Balamurugapandi

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

This writ petition is filed for issuing a Writ of Mandamus, directing the 2nd respondent to dispose the application pending before him filed by the petitioner in P6/29150/2018 dated 25.06.2018.

2. The matter relates to issuance of patta in favour of the 6th respondent. The writ petitioner along with others appear to have submitted a representation to the 3rd respondent/Revenue Divisional Officer to cancel the patta that was granted in favour of



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the 6th respondent in respect of the lands in few survey fields. The objection raised by the petitioner is that the property in dispute is the property of the Government and patta has been wrongly given to the 6th respondent.

3. The counsel appearing for the 6th respondent submitted that the 6th respondent has no objection for allowing the writ petition by directing the 2nd respondent to dispose of the petitioner's application pending before him. However, he pointed out that the object behind the filing of this litigation is different.

4. This Court at the time of admitting the writ petition has granted interim injunction restraining the 6th respondent from alienating the properties which are subject matter of this writ petition. However, considering the fact that the claim of the petitioner is to avoid possible encroachment by third parties to the Government property, this Court is inclined to dispose of the writ petition with a direction to the 2nd respondent to consider and dispose of the application of the petitioner dated 25.06.2018 after hearing the petitioner as well as the 6th respondent on merits and in accordance with law within a period of eight weeks from the



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date of receipt of a copy of this order. No costs. Connected
miscellaneous petitions are closed.

[S.S.S.R, J.] [D.B.C., J.]
21.08.2023

Index : Yes / No
Neutral Citation : Yes / No
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