



W.P.(MD)No.13760 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.10.2023

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD)No.13760 of 2020
and
W.M.P.(MD)No.11413 of 2020

D.Thiyagaraj

.. Petitioner

Versus

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.

3.The Tahsildar,
Thovalai at Boothapandi,
Kanyakumari District.

4.K.Duraisamy Nadar

5.Balamani, D/o.K.Duraisamy Nadar

6.Jayanthi, D/o.K.Duraisamy Nadar

7.Seela, D/o.K.Duraisamy Nadar

8.Kala @ Monisha, D/o.K.Duraisamy Nadar

9.Brinthamary, Grand daughter of K.Duraisamy Nadar

.. Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 12.09.2020 as submitted for the cancellation of Patta as given in favour of the respondents 5 to 9 in respect of the properties bearing Survey Nos.621/4, 621/5, 621/6, 621/7A and 621/8A, situated at Kumarapuram Village, Aralvoimozhi via, Kanyakumari District, on merits and in accordance with law and subsequently, dispose of the same within a time frame as stipulated by this Court.

For Petitioner	:	Mr.S.Palani Velayutham
For R1 to R3	:	Mr.A.K.Manikkam Special Government Pleader
For R4	:	Mr.T.Lajapathi Roy Senior Counsel for Mr.S.Rajasekar
For R8	:	Mr.Raja.Karthikeyan

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the second respondent to consider the representation made by the petitioner on 12.09.2020, wherein the petitioner has sought for cancellation of Patta granted in favour of the respondents 5 to 9 with respect to the subject property.

2. When the matter was taken up for hearing today, the learned Special Government Pleader produced a copy of the proceedings of the second



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respondent, dated 15.09.2023. On going through the same, it is seen that the second respondent has taken into consideration the pending appeal before this Court in A.S.(MD)No.82 of 2018. In view of the same, it is made clear that the rights of the parties / mutation made in the revenue records will be subject to the final outcome of A.S.(MD)No.82 of 2018.

3. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No
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To

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N.ANAND VENKATESH, J.

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