



WP (MD) No.15275 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP (MD) No.15275 of 2023

R.Anu @ Annapurani

... Petitioner

Vs

1.The District Collector,
Sivagangai.

2.The District Revenue Officer,
Sivagangai.

3.The Revenue Divisional Officer,
Devakottai,
Sivagangai.

4.The Tahsildar,
Taluk Office Karaikudi,
Sivagangai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus to call for the records pertaining to the impugned order passed by the 4th respondent dated 21.04.2023 in Mu.Mu.A6/1678/20203 and to quash the same as illegal and consequently direct the 4th respondent to issue patta for the petitioner land for an extent of 28 cents in Survey No.303/1A2/K.Lakshmipuram Village, Karaikudi Taluk, Sivagangai District.



WEB COPY



WP (MD) No.15275 of 2023

For petitioner : Mr.K.Sudalaiyandi.K

For Respondents : Ms.D.Farjana Ghousia,

Special Government Pleader

ORDER

The petitioner approached the Tahsildar for grant of patta, which was rejected on the ground that the document was registered based on the power of attorney, which was a notirsed one. Challenging the said order the petitioner has earlier filed a writ petition in WP(MD)No.2350 of 2014, wherein this Court considered the same and has passed an order dated 07.12.2022 that in the year 2004 documents were registered with the notorisied power deeds and therefore, it cannot be a ground to reject the claim of the petitioner. Subsequently, the petitioner with the order passed in WP(MD)No.2350 of 2014 once again has approached the Tahsildar in the year 2003 and the same was rejected on the very same ground. Challenging the said order this writ petition is filed.



WP (MD) No.15275 of 2023

2.Considering the facts and circumstances of the case, this Court by order dated 27.06.2023 directed the Tahsildar concerned to explain the reasons for passing such an order.

3.Today when the matter is taken up for hearing the Tahsildar concerned has filed an affidavit that a mistake has occurred in passing the impugned order and the mistake is neither wilful nor wanton and he is prepared to rectify it.

3.Recording the affidavit filed by the 4th respondent / the Tahsildar, Karaikudi this writ petition is disposed of. The impugned order is set aside. The matter is remitted to the 4th respondent for taking a decision afresh within a period of two weeks from the date of receipt of a copy of this order. No costs.

31.07.2023

dsk



WP (MD) No.15275 of 2023

To

- 1.The District Collector,
Sivagangai.
- 2.The District Revenue Officer,
Sivagangai.
- 3.The Revenue Divisional Officer,
Devakottai,
Sivagangai.
- 4.The Tahsildar,
Taluk Office Karaikudi,
Sivagangai District.



WEB COPY



WP (MD) No.15275 of 2023

B.PUGALENDHI, J.

dsk

WP (MD) No.15275 of 2023

31.07.2023