



WEB COPY



W.P.(MD)No.18072 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P.(MD)No.18072 of 2020

M.Kasimayan

... Petitioner

vs.

1.The Sub-Collector / Revenue
Divisional Officer,
Office of the Revenue Divisional
Officer,
Periyakulam-625 605.

2.The Thasildar,
Periyakulam, Theni District.

3.C.Velendran

4.C.Naguran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records pertaining



W.P.(MD)No.18072 of 2020

WEB COPY

to the impugned order in O.Mu.No.3672/2020/A1, dated 06.10.2020, on the file of the Respondent No.1 and to quash the same as illegal and consequently, to direct the respondents to add the name of the petitioner's vendors by name R.Sakthivel, S/o.Rajamalai and C.Velnagu S/o.Chinna Vellai in the joint patta in addition to the name of the Respondent Nos.3 and 4 within the time stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Athiff
for M/s.S.Louis
For R1 and 2 : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed for writ of Certiorari, to quash the impugned order, dated 06.10.2020, on the file of the Respondent No.1 and consequently, to direct the respondents to add the name of the petitioner's vendors namely R.Sakthivel, S/o.Rajamalai and C.Velnagu S/o.Chinna Vellai in the joint patta in addition to the name of the



W.P.(MD)No.18072 of 2020

WEB COPY

Respondent Nos.3 and 4 within the time stipulated by this Court.

2. After receiving the representation of the petitioner, dated 05.09.2020, the 1st respondent has passed an order stating that the petitioner is seeking to cancel the sale deed without getting no objection from the joint patta holders.

3. On perusal of the order this Court is of the considered opinion that the impugned order is passed without application of mind. The petitioner is seeking only to issue joint patta by including the names of his vendors but the 1st respondent has passed an order as if the petitioner is seeking to cancel the registered sale deed which was executed in his name.



WEB COPY



W.P.(MD)No.18072 of 2020

4. Therefore, this Court is inclined to allow this writ petition, the impugned order is quashed. The petitioner is directed to submit a fresh representation to the official respondents and the official respondents shall consider the same and pass orders within a period of four weeks thereafter.

5. With the above said observation, the writ petition is allowed. No costs.

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

10.07.2023
(2/2)

Tmg



WEB COPY



W.P.(MD)No.18072 of 2020

To

- 1.The Sub-Collector / Revenue
Divisional Officer,
Office of the Revenue Divisional
Officer,
Periyakulam-625 605.
- 2.The Thasildar,
Periyakulam, Theni District.



WEB COPY



W.P.(MD)No.18072 of 2020

S.SRIMATHY, J

Tmg

W.P.(MD)No.18072 of 2020

10.07.2023
(2/2)