



W.P.(MD)No.18926 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.18926 of 2020

Senraj.S,

... Petitioner

Vs

1. The District Collector,
Virudhunagar Dist.

2. The Revenue Divisional Officer
Sivakasi, Virudhunagar Dist.

3. The Tahsildar,
Vembakottai, Virudhunagar Dist.

4. Ramaiah Pillai,,
S/o.Mariappa Pillai, Viswanatham,
Sivakasi, Virudhunagar Dist.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 2.3.2020 and take necessary action to cancel the patta issued in favour of the 4th respondent by holding enquiry and restore the Odai in survey No.194/5 in



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Vijayarengapuram Village at Virudhunagar District within a time frame that may be fixed by this Honourable Court.

For Petitioner :Mr.S.Siva Ilayaraja,

For Respondents :Mr.S.Sarvaganan
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to consider the representation made by the petitioner dated 2.3.2020 and to take necessary action to cancel the patta issued in favour of the 4th respondent by holding enquiry and restore the portion categorized as Odai in survey No.194/5 in Vijayarengapuram Village at Virudhunagar District.

2. The grievance of the petitioner is that some of the portions in S.No.194/5 has been categorized as Odai in the revenue records. While so, the third respondent has issued patta in favour of the 4th respondent bearing patta No.338 by including those portions shown as odai. Aggrieved by the same, the petitioner has sent a representation to the respondents and since



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the same was not considered, the present writ petition has been filed before this Court.

3.The learned Additional Government Pleader, on instructions, submitted that in the FMB sketch, some of the portions have been shown as nilaviyal odai. The learned counsel further submitted that the representation is pending before the 2nd respondent.

4. Taking into consideration the facts and circumstances of the case and without going into the merits of the case, it will suffice if a direction is given to the 2nd respondent to consider the representation/objection given by the petitioner for conducting an enquiry by giving opportunity to the petitioner and the 4th respondent. Ultimately, the second respondent shall pass orders on its own merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.



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5. The writ petition is disposed of with the above direction. No costs.

08.10.2023

NCC :Yes/No
Index :Yes/No

RR

To

1. The District Collector,
Virudhunagar Dist.
2. The Revenue Divisional Offic,
Er, Sivakasi, Virudhunagar Dist.
3. The Tahsildar,
Venbakottai, Virudhunagar Dist.



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N.ANAND VENKATESH, J.

RR

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