



W.P(MD)No.13125 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13125 of 2015

S.Ramesh Ananthastephan

... Petitioner

Vs

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Revenue Divisional Officer,
Pudukottai,
Pudukottai District.

3.The District Revenue Officer,
Pudukottai,
Pudukottai District.

4.The Tahsildar,
Kulathur Taluk,
Pudukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to issue the Patta for the land in Survey No. 251/7 to an extent of 1 Acre 69 cents in the name of the petitioner and Legal Heirs of the petitioner's father Late Selvaraj on the basis of the Petitioner's representation dated 22.06.2015.



W.P(MD)No.13125 of 2015

For Petitioner : No Appearance
For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

None appears for the writ petitioner.

2. I went through the contents of the affidavit filed in support of the writ petition.

3. The case of the petitioner is that his father / Selvaraj during his life time had sold 1 acre 75 cents in favour of one Arokiasamy S/o. Anthonysamy on 13.05.1998. The grievance of the petitioner is that the said Arokiasamy instead of obtaining patta only for 1 acre 75 cents had obtained patta for other properties of the petitioner's father also. The petitioner has given a representation on 22.06.2015 before the District Collector in this regard. He wants the revenue record to be modified.

4. As rightly pointed out by the learned Special Government Pleader, the petitioner ought to have made Arokiasamy as one of the respondents in the writ petition. He has not done so. This writ petition suffers from the vice of non-joinder of necessary party.



W.P(MD)No.13125 of 2015

5. Be that as it may, liberty is given to the petitioner to file proper petition before the fourth respondent. The petitioner shall implead the Arokiasamy S/o. Anthonysamy as respondent. As and when if such a petition is received from the petitioner, the fourth respondent shall issue notice to the said Arokiasamy as well as other interested persons if any and pass final order on merits and in accordance with law within a period of four months thereafter.

6. With this liberty to the petitioner to file a fresh application before the fourth respondent, this writ petition is disposed of. I make it clear that I have not gone into the merits of the matter. There shall be no order as to costs.

12.07.2023

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

To

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Revenue Divisional Officer,
Pudukottai,
Pudukottai District.

3.The District Revenue Officer,
Pudukottai,
Pudukottai District.



WEB COPY



W.P(MD)No.13125 of 2015

G.R.SWAMINATHAN, J.

MGA

4.The Tahsildar,
Kulathur Taluk,
Pudukottai District.

W.P(MD)No.13125 of 2015

12.07.2023