



W.P.(MD)No.12688 of 2016

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED :20.03.2023

CORAM

**THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

W.P.(MD)No.12688 of 2016

and

W.M.P.(MD)Nos.9596 & 9597 of 2016

K.Serman

... Petitioner

Vs.

1.The District Revenue Officer,  
Tuticorin District,  
Tuticorin.

2.The Revenue Divisional Officer,  
Kovilpatti,  
Tuticorin District.

3.The Tahsildar,  
Ottapidaram Taluk,  
Tuticorin District.

4.T.Gurunathasamy

5.V.Chelliah Moopanar

... Respondents

**PRAYER :** Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the order passed by the third respondent in his



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proceedings in A3/13192/15 dated 27.06.2015 and quash the same as without jurisdiction and ultra virus and direct the respondents 1 and 2 to consider the representation/appeal petition submitted by the petitioner to cancel the patta granted in favour of respondents 4 and 5 in respect of land in S.No.205/7 and 205/8 Vellaram Village, Ottapidaram Taluk, Tuticorin District respectively and to restore the patta in the name of the petitioner, within a time frame.

For Petitioner :Mr.T.Chandrasekaran

For Respondents :Mr.M.Sarangan  
Additional Government Pleader for R1 to R3

:Un served for R4 & R5

### **ORDER**

The petitioner assails an order dated 27.06.2015 of the third respondent, whereby the petitioner was informed that he should seek remedy from the jurisdictional civil court.

2. Learned Additional Government Pleader relies upon paragraph No.7 of the counter filed in this writ petition to submit that the writ petitioner had not produced necessary documents. In the said paragraph, it is



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further stated that an appeal has been filed by the writ petitioner before the Revenue Divisional Officer, Kovilpatti and that the enquiry is pending decision.

3. Since the appropriate authority to decide on cancellation of a patta is the jurisdictional Revenue Divisional Office and an enquiry is said to be pending before the said authority, this writ petition may be disposed of by directing that such enquiry be concluded within a reasonable time frame after providing a reasonable opportunity to the contesting private parties.

4. Accordingly, W.P.(MD).No.12688 of 2016 is disposed of by directing the second respondent to conclude the pending enquiry within a period of eight weeks from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner, the fourth and fifth respondents and any other person who would be affected by the decision. Since the merits of the matter have not been considered and the second respondent has been directed to provide a reasonable opportunity to the fourth and fifth respondents before deciding the matter, this writ petition is



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disposed of without notice to the fourth and fifth respondents. There shall be no order as to costs. Consequently connected W.M.P.(MD).Nos.9596 & 9597 of 2016 are closed.

**20.03.2023**

NCC :Yes/No  
Internet :Yes/No  
Index :Yes/No  
*sbm*

To

- 1.The District Revenue Officer,  
Tuticorin District,  
Tuticorin.
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Tuticorin District.
- 3.The Tahsildar,  
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**SENTHILKUMAR RAMAMOORTHY, J.**

*sbn*

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