



W.P(MD)No.21831 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.21831 of 2023

and

W.M.P(MD)No.18213 of 2023

Mary

... Petitioner

Vs

- 1.The Special Commissioner,
Department of Land Administration,
Chepauk,
Chennai.
- 2.The District Collector,
Sivagangai District,
Sivagangai.
- 3.The District Revenue Officer,
District Revenue Office,
Sivagangai.
- 4.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Sivagangai.
- 5.The Tahsildar,
O/o.Tahsildar,
Manamadurai Taluk,
Sivagangai.



W.P(MD)No.21831 of 2023

6.Kollidam

7.N.Shahul Hameed

8.Dhanuskodi

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent Nos.2 to 5 to cancel the patta fraudulently issued in the name of the Respondent No.8 in patta No.539 for the property measuring an extent of 5 acres in S.No.120/1 located in Puzhuthikulam Village, Arimandapam, Manamadurai Taluk, Sivagangai District and consequently direct the respondent No.5 to restore the patta in the petitioner's name and to make the appropriate corrections in the revenue records.

For Petitioner :Mr.S.Rajasekar
for M/s.Lajapathi Roy and Associates

For R1 to R5 :Mr.M.Sarangan
Additional Government Pleader

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.



W.P(MD)No.21831 of 2023

WEB COPY

2. The petitioner is a widow. The petitioner's husband served in the Indian Army and retired on 31.05.1970. As an Army personal, he was assigned with a land in Survey No.120/1 to an extent of 5 acres in Puzhuthikulam Village, Arimandapam, Manamadurai Taluk, Sivagangai District on 30.05.1970. The petitioner's husband died on 30.06.2004 and thereafter, the patta was transferred in the name of the petitioner. The petitioner, due to her old age, is not in a position to utilise the land and has not been cultivating the land for the past few years and also settled along with his son at Chennai. When the petitioner's son visited the village for the purpose of restoring the agriculture he found that the land has been transferred in the name of a third party by creating some forged documents and therefore, the petitioner has lodged a complaint before the District Revenue Officer and has filed this writ petition for a mandamus directing the respondents to restore the patta in the petitioner's name and to make a proper corrections in the revenue records.

3. The learned Additional Government Pleader appearing for the respondents submitted that the representation of the petitioner with the



W.P(MD)No.21831 of 2023

District Revenue Officer is now transferred to the Revenue Divisional Officer on 02.08.2023 and the same is pending with Revenue Divisional Officer.

3. Considering the rival submissions made and also considering the nature of order to be passed, notices to the private respondents 6 to 8 are dispensed with.

4. Accordingly, this writ petition is disposed of with a direction to the fourth respondent – Revenue Divisional Officer to conduct an enquiry on the petitioner's complaint by providing an opportunity of hearing to the petitioner and to the private respondents herein and to take a decision within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

NCC : Yes / No.
Index : Yes / No.
Internet: Yes
am

08.09.2023



WEB COPY



W.P(MD)No.21831 of 2023

To

- 1.The Special Commissioner,
Department of Land Administration,
Chepauk,
Chennai.
- 2.The District Collector,
Sivagangai District,
Sivagangai.
- 3.The District Revenue Officer,
District Revenue Office,
Sivagangai.
- 4.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Sivagangai.
- 5.The Tahsildar,
O/o.Tahsildar,
Manamadurai Taluk,
Sivagangai.



WEB COPY



W.P(MD)No.21831 of 2023

B.PUGALENDHI, J.

am

Order made in
W.P(MD)No.21831 of 2023

08.09.2023