



W.P(MD)No.1832 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.1832 of 2016 and
WMP(MD) No.1580 of 2016

Adaikkan

...Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The District Revenue Officer,
Sivagangai District,
Sivagangai.
- 3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
- 4.The Tahsildar,
Tiruppathur Taluk,
Sivagangai District.
- 5.The Village Administrative Officer,
Karisalpatty Village,
Tiruppathur Taluk,
Sivagangai District.
- 6.Pitchammal

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to direct the fourth respondent to cancel the forged patta No.1965 and reinstate the patta No.527 of Karisalpatty Village, Thiruppathur Taluk, Sivagangai District based on the petitioner's representation, dated 07.12.2015 within a stipulated period.

For Petitioner	: Mr.Na.Palaniyandi
For R1 to R5	: Mr.A.Kannan Additional Government Pleader
For R6	: No appearance

ORDER

This Writ Petition is filed for a Mandamus, directing the first respondent to direct the fourth respondent to cancel the patta No.1965 granted in favour of the sixth respondent and to restore the patta No.527, which stands in the name of the petitioner's mother.

2.The learned counsel appearing for the petitioner submits that the patta stands in the name of the petitioner's mother, namely, Naachi, has been cancelled by the Tahsildar, Tirupattur and the patta was granted in favour of the sixth respondent. Hence, he prays that a suitable direction may be issued to the fourth respondent



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to cancel the patta No.1965 granted in favour of the sixth respondent.

3.Today(08.02.2023), when the writ petition is taken up for hearing, it is reported that with regard to this issue, a civil Suit in O.S.No.45 of 2014 is pending between the petitioner and the sixth respondent before the District Munsif Court, Thirupattur, Sivagangai District. It is also reported that the fourth respondent by referring the suit has intimated the petitioner that the change of patta will be considered based on the outcome of the suit.

4.In view of the above, this Court is inclined to dispose of this Writ Petition with a liberty to the parties to work out their remedy in the suit in O.S.No.45 of 2014, which is pending on the file of the District Munsif Court, Thirupattur, Sivagangai District and the learned Munsif shall endeavour to conclude the suit in O.S.No.45 of 2014 as expeditiously as possible.



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5. Accordingly, this Writ Petition is disposed of. No

Costs. Consequently, connected Miscellaneous Petition is closed.

08.02.2023

Index: Yes

Internet: Yes

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To

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The District Munsif Court,
Thirupattur, Sivagangai District
3. The District Revenue Officer,
Sivagangai District,
Sivagangai.
4. The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
5. The Tahsildar,
Tiruppathur Taluk,
Sivagangai District.
6. The Village Administrative Officer,
Karisalpatty Village,
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Sivagangai District.



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B.PUGALENDHI, J.

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