



W.P(MD)No.22524 of 2023

WEB CO BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.22524 of 2023 and
WMP(MD) No.18760 of 2023

Sanjeev Kumar.R

... Petitioner

Vs

**1.The District Revenue Officer,
Sivagangai District,
Sivagangai.**

**2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.**

**3.The Tahsildar,
Ilaiyangudi Taluk,
Sivagangai.
Sivagangai District.**

4. R.Muniyandi

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the 1st respondent from proceeding with an enquiry contemplated



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for cancellation of Patta bearing Patta No.732 stands in the name of the petitioner vide his Impugned Proceedings notice in Na.Ka.C2/14882/2023, dated 17.08.2023 till the disposal of the Appeal in A.S.No.9 of 2023 on the file of the Sub Court, Manamadurai filed by the 4th respondent's son and another person as against the Judgment and Decree dated 27.09.2022 passed in favour of the petitioner in O.S.No.17 of 2020 on the file of the District Munsif cum Judicial Magistrate Court, Ilaiyangudi, Sivagangai District.

For Petitioner	:Mr.B.Prahalad Ravi
For R1 to R3	:Mrs.D.Farjana Ghoushia Special Government Pleader

ORDER

The case of the petitioner is that the fourth respondent seems to have filed an application under the Tamil Nadu Patta Pass Book Act,1983 before the District Revenue Officer, Sivagangai for cancelling the patta, which has been issued in the name of this petitioner.



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2.The learned counsel appearing for the petitioner submits that there was a dispute over the property between the petitioner and the fourth respondent and a decree in O.S.No.17 of 2020 has also been granted in his favour by a competent civil Court. However, suppressing all the facts, the fourth respondent has filed an application before the District Revenue Officer and the District Revenue Officer, based on the false complaint lodged is intending to conduct an enquiry. Therefore, the petitioner has filed this writ petition for a Mandamus forbearing the respondents from proceeding with the enquiry.

3.This Court considered the submissions made by the learned counsel for the petitioner.

4.The fourth respondent said to have submitted a representation to the first respondent/the District Revenue Officer, Sivagangai and the first respondent has issued a notice to the petitioner to appear for an enquiry on the application made by the



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fourth respondent. Since the petitioner claims that he is having a valid decree in his favour, he can very well appear and place all the materials before the District Revenue officer. It is not known, whether the complaint lodged by the fourth respondent is pertaining to the suit property or some other property.

5.In view of the above, this writ petition is disposed of with a direction to the petitioner to place all the relevant documents in his favour before the District Revenue officer/the first respondent herein and on such production, the same shall be considered by the first respondent in accordance with Rule 4(4) of the Tamil Nadu Patta Pass Book Rules, 1987, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

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NCC : Yes / No.

Index : Yes / No.

Internet: Yes

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B.PUGALENDHI, J.

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W.P(MD)No.22524 of 2023 and
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