



W.P(MD)No.28172 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28172 of 2022

and

W.M.P.(MD)No.22241 of 2022

P.Vikram @ Julius Paul

... Petitioner

Vs.

1.The District Revenue Officer,
Madurai District.

2.The Revenue Divisional Officer,
Madurai District.

3.The Tahsildar,
Madurai West,
Madurai District.

4.Gandurai

5.Ramachandran

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the second respondent in Pro.Ni.Mu.No. 755/2022/P, dated 18.07.2022 and quash the same as illegal, arbitrary and passed by an incompetent authority and consequently, direct the respondents to restore the patta in the name of the petitioner herein relating to an extent of land



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measuring 0.05.00 hectares comprising in S.No.47 /11, covered under Patta No. 2570 of Karadipatti Village, Madurai East Taluk, Madurai District.

For Petitioner : Mr.M.Rajarajan

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

: Mr.VR.Shanmuganathan for R4 & R5

ORDER

Heard the learned counsel on either side.

2. The property comprised in Survey No.47/4 in Karadipatti Village in Madurai West Taluk measured a total extent of 1.76 acre. It belonged to two persons namely Rama Kudumban and Angappan Servai. From Angappan Servai, the petitioner herein purchased 13.5 cents in the year 1992. The private respondents trace their title through Rama Kudumban. The petitioner was issued with patta in the year 2011. Challenging the same, the private respondents herein moved the second respondent. The second respondent came to the conclusion that patta issued in favour of the writ petitioner represented the property purchased by the private respondents. In this view of the matter, patta issued in favour of the petitioner was cancelled by the impugned order. Challenging the same, the present writ petition came to be filed.



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3. After considering the rival contentions, the writ petition is disposed on in the following terms:-

(i) The jurisdictional Tahsildar will cause survey to be done in respect of the properties purchased by the respective parties namely the petitioner, R4 & R5.

(ii) Based on the respective title deeds and the other attendant documents, their lands will be duly identified and earmarked.

(iii) Based on the same, fresh patta will be issued in favour of all the three separately.

(iv) The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

(v) The impugned order will abide by the outcome of the aforesaid exercise.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

13.02.2023

Index : Yes / No
Internet : Yes/ No
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To

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