



W.P(MD)No.26110 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 31.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26110 of 2023

and

W.M.P.(MD)No.22465 of 2023

S.Gnaniyar

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3.The Thasildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.

4.The District Educational Officer,
Virudhunagar District,
Virudhunagar.

5.Senthilraj

... 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 2nd respondent to consider the representation of the petitioner dated 09.10.2023 in respect of fraudulent transfer of patta for the land in S.No.1725/1B of Chatrapatti Panchayat, Melarajakularaman Village, Rajapalayam Taluk, in the name of the 5th respondent and cancel the same.

For Petitioner : Mrs.Lakshmi Gopinathan,
For M/s.Polax Legal Soultions.

For Respondents : Mr.M.Siddharthan,
Addl. Govt. Pleader for R1 to R4.

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the respondents 1 to 4. Considering the nature of relief to be granted, issuance of notice to the fifth respondent is dispensed with.



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2.The learned counsel for the petitioner points out that patta in respect of the petition mentioned land stood in the following name:-

“நான்கு தெரு”

It is stated that this patta was changed as follows:-

“நடுத் தெரு மேல் பகுதி”

3.The petitioner's case is that this modification was done behind the back of the interested parties. The petitioner's grievance is that by taking advantage of this modification, the fifth respondent is putting up construction in the petition mentioned survey number. Seeking cancellation of the mutation so made, the petitioner submitted a petition before the first respondent on the public grievances redressal day. It was forwarded to the second respondent and the second respondent was called upon to dispose of the matter by 25.10.2023. The learned counsel for the petitioner states that till date no enquiry has been conducted.

4.I, therefore direct the second respondent to dispose of the petitioner's appeal dated 09.10.2023 on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this



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order. The second respondent shall issue notice to the fifth respondent and only thereafter pass final order. I make it clear that I have not gone into the merits of the matter.

5.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

31.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

Issue order copy on 01.11.2023.



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To:-
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- 3.The Thasildar,
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Rajapalayam,
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- 4.The District Educational Officer,
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G.R.SWAMINATHAN, J.

ias

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31.10.2023