



W.P(MD)No.839 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD)No.839 of 2024

Murugan

... Petitioner

-Vs-

1.The District Collector,
Madurai.

2.The Revenue Divisional Officer,
Melur Office at Narasingampatti Village,
Madurai District.

3.The Tahsildar,
Melur.

4.Thirupathi

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the third respondent to consider the petitioner's representation dated 30.11.2022 requesting the third respondent to cancel the patta No.777 issued to the fourth respondent and to assign the land in S.No.269/4 measuring 0.36.0 ares situated at Keeranoor village, Melur Taluk, Madurai District to the petitioner within the time limit fixed by this Court.



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For Petitioner : Mr.T.K.Gopalan
For Respondent : Mrs.K.Christy Thebaral
Addl. Govt. Pleader (for R1 to R3)

ORDER

This writ petition is filed seeking for issuance of a Writ of Mandamus directing the third respondent to consider the petitioner's representation dated 03.11.2022 requesting the third respondent to cancel the patta No.777 issued to the fourth respondent and to assign the land in S.No.269/4 measuring 0.36.0 ares situated at Keeranoor village, Melur Taluk, Madurai District to the petitioner within the time limit fixed by this Court.

2. Mrs.K.Christy Thebaral, learned Additional Government Pleader takes notice for the respondents 1 to 3. Considering the nature of the order proposed to be passed, protecting the interest of the fourth respondent also, notice to the fourth respondent is dispensed with. By consent, this writ petition is taken up for final disposal at the admission stage itself.



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3. The case of the petitioner is that the petitioner's ancestors are landless poor and they possessed 90 cents land in the subject matter survey number. The petitioner and his ancestors are continuously in possession and enjoyment of the subject matter property for more than 80 years. While so, the revenue officials issued patta in the name of the fourth respondent measuring an extent of 0.36.0 ares, as if, it was assigned to landless poor. In fact, the fourth respondent and her family members owning ancestral land. Hence, the petitioner has made a representation to the third respondent on 03.11.2022 requesting him to cancel the patta issued in the name of the fourth respondent. Since the said representation has not been considered so far, the petitioner has filed the present writ petition.

4. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the Petitioner's representation will be disposed of in accordance with law by the third respondent within the time stipulated by this Court.

5. In view of the above said submission, this Court, without expressing any opinion on the merits of the matter, directs the third



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respondent to consider the representation of the Petitioner, dated 03.11.2022 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of. No costs.

12.01.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
skn

To

1.The District Collector,
Madurai.

2.The Revenue Divisional Officer,
Melur Office at Narasingampatti Village,
Madurai District.

3.The Tahsildar,
Melur.



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V.BHAVANI SUBBAROYAN, J.

skn

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