



W.P(MD)No.15118 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 09.07.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P(MD)No.15118 of 2024

R.Karthikeyan

... Petitioner

VS.

- 1.The District Collector,
Tiruchirappalli District.
- 2.The District Revenue Officer,
Tiruchirappalli District.
- 3.The Sub-Collector,
Musiri Taluk,
Tiruchirappalli District.
- 4.The Tahsildar,
Thuraiyur Taluk,
Tiruchirappalli.
- 5.The President,
Pagalavadi Panchayat,
Pagalavadi,
Thuraiyur.
- 6.Gurunathan

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to cancel the patta issued to the sixth respondent in respect of the property situated in S.No.550/14, Pagalavadi Village, Thuraiyur Taluk, Tiruchirappalli and consequently direct the respondents to remove the building constructed by the sixth respondent.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.P.Thilak Kumar
Government Pleader
for R.1 to R.5

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

The prayer sought for herein is for a Writ of Mandamus, to direct the second respondent to cancel the patta issued to the sixth respondent in respect of the property situated in S.No.550/14, Pagalavadi Village, Thuraiyur Taluk, Tiruchirappalli and consequently direct the respondents to remove the building constructed by the sixth respondent.

2.With regard to the property situated in S.No.550/14, Pagalavadi Village, Thuraiyur Taluk, Tiruchirappalli District, patta had been issued in favour of the sixth respondent in Natham land, which was cancelled by the Sub-Collector by proceedings, dated 22.02.2020. As



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against which, a revision has been filed before the District Revenue Officer, who reversed the said order, dated 05.05.2021. If the petitioner wants to challenge the same, he has to approach the Appellate Authority or to go before the civil Court by filing an appropriate civil suit. Instead, the petitioner has approached this Court, that too, seeking for a writ of Mandamus to the District Revenue Officer to cancel the patta issued to the sixth respondent.

3.Since the District Revenue Officer already passed an order on 05.05.2021, the question of issuing any Mandamus to him does not arise, moreover, the validity of the order, dated 05.05.2021 passed by the District Revenue Officer ie., the second respondent also has not been questioned here and if at all it is to be questioned, it can be filed before the appellate authority or to approach the civil Court as indicated above. Therefore, the prayer sought for in this Writ Petition cannot be granted. Hence, the Writ Petition fails. Accordingly, it is dismissed. However, there shall be no order as to costs.

[R.S.K.,J.] [G.A.M.,J.]
09.07.2024

NCC : Yes / No
Index : Yes / No
ps

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R.SURESH KUMAR,J.
and
G.ARUL MURUGAN,J.

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ORDER MADE IN
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