



W.P.(MD) No.20087 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.20087 of 2024

P.Rajendran

.. Petitioner

Vs.

1.The District Collector,
Dindugal District.

2.The Revenue Divisional Officer,
Dindigul Division,
Dindugal.

3.The Tahsildar,
Nilakottai Taluk,
Dindugal District.

4.Veerammal

.. Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the second respondent to dispose the petitioner's representation dated 03.06.2024 relates to the cancellation of the patta No.4515 issued in favour of the 4th respondent and her children relates to the land in S.No.392/4, measuring 0.35.00 ares ie., 86 cents in Rengappanaickanpatti Village.



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For Petitioner :Mr.R.Suraya Narayanan
For R1 to R3 :Mr.D.S.Neduncheziyan
Government Advocate

ORDER

The petitioner has filed the present writ petition questioning that without giving notice on personal hearing to the petitioner, the mutation of patta in the name of the fourth respondent and her children has been ordered.

2.The case of the petitioner is that he is the owner of the land in S.No.392/4 measuring an extent of 0.35.00 acres ie., 86 cents in Rengappanaickanpatti Village under a registered sale deed, dated 04.02.2008 along with the right to enjoy the Well in S.No.324/1A1. The land originally belonged to one Police Thevar, who along with his son, sold 50 cents to the petitioner's vendor viz., Ondiveerathevar, under a registered sale deed, dated 27.11.2000 and later he purchased the remaining 36 cents along with the right of water in the Well in S.No. 324/1A1. Thereafter, the petitioner purchased 86 cents in S.No.392/4 along with the right of water in the Well in S.No.324/1A1.



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3.The land on the aforesaid survey numbers stood in the name of Ondiveerathevar and joint patta was issued. The petitioner later came to know that the fourth respondent has got in S.No.392/4 of the land subdivided as in S.No.392/4A and 392/4B and obtained patta in her name and in the name of her children. Prior to effecting these changes, no notice was issued to the person in whose name the patta originally stood ie., the petitioner. Therefore, the petitioner made a representation dated 03.06.2024 to the second respondent to cancel the patta issued to the fourth respondent. Since no action has been taken, the present writ petition is filed.

4.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3.

5.Taking into account the fact that the change of patta has been done without notice to the person in whose name originally patta stood, this writ petition is allowed with a direction to the second respondent to



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consider and dispose of the petitioner's representation dated 03.06.2024 on merits and in accordance with law, after giving notice to the fourth respondent and other interested persons, if any, within a period of six weeks from the date of receipt of a copy of this order. No costs.

22.08.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

To

1.The District Collector,
Dindugal District.

2.The Revenue Divisional Officer,
Dindigul Division,
Dindugal.

3.The Tahsildar,
Nilakottai Taluk,
Dindugal District.



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P.T.ASHA, J.
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