



W.P.(MD) No.19379 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.19379 of 2015

and

M.P(MD)Nos.1 to 4 of 2015

Christopher Gonzalvez

.. Petitioner

Vs.

1.The District Revenue Officer,
Kanyakumari District,
Nagercoil.

2.The Revenue Divisional Officer,
Padmanabhapuram,
Thuckalay.

3.The Tahsildar,
Kalkulam Taluk,
Thuckalay,
Kanyakumari District.

4.Ms.Anju Anna Abraham,
C/o Abraham K Thomas Chartered Accountants,
Collectorate Post Office,
Kottayam, Kerala.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Certiorarified Mandamus, to call for the



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records pertaining to order passed by the 1st respondent in proceeding in Na.ka.No.M4/69943/2007, dated 16.07.2013 upholding the order of the 2nd respondent in proceedings Aa4/10784/2003, dated 03.11.2004 and quash the same and consequently direct the respondents to include the name of the petitioner in the patta records pertaining to his 5.70 acres of land in RS No.236, Velimalai village, Kalkulam Taluk in Kanyakumari District.

For Petitioner	:	Mr.Puhazh Gandhi
For R1 – R3	:	Mr.B.Saravanan Additional Government Pleader
For R4	:	Mr.S.C.Herold Singh

ORDER

The present writ petition has been filed to quash the order passed by the 1st respondent in proceeding in Na.ka.No.M4/69943/2007, dated 16.07.2013 upholding the order of the 2nd respondent in proceedings Aa4/10784/2003, dated 03.11.2004 and quash the same and consequently direct the respondents to include the name of the petitioner in the patta records pertaining to his 5.70 acres of land in RS No.236, Velimalai village, Kalkulam Taluk in Kanyakumari District.



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2. Considering the fact that the patta has now been issued adding the name of the petitioner as joint pattadhar, nothing survives to be adjudicated for consideration in this writ petition.

3. However, the learned counsel for the 4th respondent would submit that when the suit is pending, the patta cannot be granted.

4. In view of the above, this Writ Petition is disposed of giving liberty to the 4th respondent to challenge the order granting patta in the manner known to law. No costs. Consequently, connected Miscellaneous Petitions are closed.

21.08.2024

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

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To

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Kanyakumari District,
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2.The Revenue Divisional Officer,
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Thuckalay.

3.The Tahsildar,
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Kanyakumari District.



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P.T.ASHA, J.

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