



W.P.(MD) No.21218 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2024

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.21218 of 2024

and

W.M.P.(MD) Nos.17968 and 17970 of 2024

Mahendiran

... Petitioner

/vs./

1.The District Revenue Officer,
District Collector Office Complex,
Dindigul District.

2.The Revenue Divisional Officer,
O/o. the Revenue Divisional Office,
Dindigul District,
Dindigul.

3.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

4.R.Ramamoorthy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned



W.P.(MD) No.21218 of 2024

proceedings in 2024/0103/13/328610-2022/13/12/000118SD, dated 20.08.2024 issued by the 3rd respondent and quash the same.

For Petitioner : Mr.S.Sankar

For R1 to R3 : Mr.P.Thambidurai
Government Advocate

For R4 : Mr.R.Suriyanarayanan

ORDER

The above writ petition has been filed for the issue of a Writ of Writ of Certiorari to quash the order dated 20.08.2024 passed in 2024/0103/13/328610-2022/13/12/000118SD by the third respondent.

2. Without traversing through the facts set out in the affidavit, suffice it to state that the petitioner is challenging the issue of patta on the ground that pending the Review Petition, the patta had been issued.

3. The petitioner would submit that on 07.06.2024, the second respondent had cancelled the patta granted in favour of the petitioner. The petitioner had filed a Revision before the first respondent on 24.06.2024 in Na.Ka.No.3401/2023/Aa4



W.P.(MD) No.21218 of 2024

against the order of the second respondent. The Revision was numbered and while the same was pending, the third respondent by his proceedings dated 20.08.2024 had issued the patta in favour of the fourth respondent.

4. The petitioner would further submit that the property in question is his ancestral property. He had sent a representation to the third respondent and the Village Administrative Officer, Mattaparai Village on 29.07.2024, which was received by the third respondent on 30.07.2024. In fact, both in the Village Administrative Officer's report as well as the representation sent by the petitioner, reference had been made to the pendency of the Review, despite which the impugned order had been passed.

5. Taking note of the above, the Writ Petition stands allowed. The impugned order dated 20.08.2024 passed in 2024/0103/13/328610-2022/13/12/000118SD by the third respondent is hereby set aside. The patta in respect of the subject property shall not be disturbed till the proceeding before the first respondent is disposed of. Thereafter, the third respondent shall proceed to act as per the orders passed by the first respondent in



W.P.(MD) No.21218 of 2024

the Revision before him. Since the Revision is pending before the first respondent since 24.06.2024, the first respondent is directed to dispose of the Revision within a period of 8 weeks from the date of receipt of a copy of this order No costs. Consequently, connected Miscellaneous Petitions are closed.

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

24.10.2024

mm

To

- 1.The District Revenue Officer,
District Collector Office Complex,
Dindigul District.
- 2.The Revenue Divisional Officer,
O/o. the Revenue Divisional Office,
Dindigul District,
Dindigul.
- 3.The Tahsildar,
Nilakottai Taluk,
Dindigul District.



WEB COPY



W.P.(MD) No.21218 of 2024

P.T.ASHA, J.

mm

W.P.(MD) No.21218 of 2024

24.10.2024