



W.P(MD)No.22919 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T.ASHA

W.P(MD)No.22919 of 2024

Koothaye

... Petitioner

Vs.

- 1.The District Collector,
Dindigul District.
- 2.The District Revenue Divisional Officer,
Dindigul District.
- 3.The Revenue Divisional Officer,
Dindigul District.
- 4.The Tahsildar,
Athur Taluk,
Dindigul District.
- 5.Pappu
- 6.Saroja
- 7.Laksmi
- 8.Ramesh



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9.Rasathi

10.Rani

11.Papapathi

12.Yuvakarthika

13.Kavipriya

14.Ramkumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 3 to 4 to issue the patta in the name of petitioner based on the sale deed vide Document No.995 of 2019, dated 25.02.2019 and cancel fraudulent patta stands in the name of private parties based on the petitioner's representation, dated 15.07.2021 and complete the same within time framed by this Court and pass such further or other orders as this Court.

For Petitioner : Mr.P.Manikandan
For R-1 to R-4 : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner had submitted a representation to the respondents 3 and 4 as early as on 15.07.2021 asking them to cancel the fraudulent patta standing in the name of the private parties and to dispose of this application at the earliest.



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2. The petitioner had purchased the property under a registered sale deed, dated 25.02.2019 and was in possession and enjoyment of the same. One Santhanam Servai had purchased land from one Mariya Soosai under a registered sale deed, dated 30.12.1987. He had sold the property to the petitioner. The brother of Santhanam Servai had obtained patta in respect of the very same survey number without having any rights. Therefore, the petitioner had submitted an application on 24.06.2020 to the respondents to cancel the patta granted to the fifth respondent and direct them to grant patta to the petitioner based on the sale deed.

3. Heard the learned Counsels on either side.

4. The petition to cancel the patta has given as early as in June 2020 and there is no progress for over four years. It is contended that the fifth respondent has no right to the property and by virtue of the patta is attempting to assert rights over the same. Therefore, there is an urgency on the part of the petitioner to have his appeal decided at the earliest.



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5. In this circumstances, a Mandamus is issued directing the respondents 3 to 4 to consider the petitioner's representation, dated 15.07.2021 and thereafter, issue patta in the name of petitioner based on the sale deed vide Document No.995 of 2019, dated 25.02.2019 and cancel fraudulent patta stands in the name of private parties. The said exercise shall be completed, within a period of six (6) weeks from the date of receipt of a copy of this order.

6. The writ petition stands allowed, accordingly. There shall be no order as to costs.

26.09.2024

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

To

1.The District Collector,
Dindigul District.

2.The District Revenue Divisional Officer,
Dindigul District.



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3.The Revenue Divisional Officer,
Dindigul District.

4.The Tahsildar,
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P.T.ASHA, J.

BTR

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