



W.P.(MD) No.6091 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD) No.6091 of 2017

A.N.Nallama Naidu

... Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Revenue Divisional Officer,
Periyakulam,
Theni District.

3.The Thasildar,
Andipatti Taluk,
Theni District.

4.A.Jeyanthi

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to cancel the assignment patta in the name of the fourth respondent to the land measuring 0.37.0 Hectare in S.No.94/3 in Kadamalaikundu Village in Andipatti Taluk in Theni District and further directing the third respondent to issue the patta for the land in S.No.94/2 and 94/3 in favour of the petitioner on the basis of the decree dated



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31.01.2011 made in O.S.No.151 of 2009, on the file of the District Munsif, Andipattai.

For Petitioner : Mr.R.Suriya Narayanan

For R1 to R3 : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for a mandamus directing the second respondent to cancel the assignment patta in the name of the fourth respondent in respect of the land in Survey No.94/3 in Kadamalaikundu Village, Andipatti Taluk, Theni District and further directing the third respondent to issue patta for the land in Survey Nos. 94/2 and 94/3 in favour of the petitioner, based on the judgment and decree dated 31.01.2011 made in O.S.No.151 of 2009 on the file of the District Munsif, Andipatti.

2. When the writ petition is taken up for hearing, the learned counsel for the petitioner would submit that the petitioner is no more and therefore, he has to take necessary steps.

3. The learned Additional Government Pleader appearing for the



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respondents 1 to 3 submits that the second respondent has already conducted an enquiry and found that the entries made in the name of the fourth respondent is not proper and has made recommendations to the third respondent to pass appropriate orders and the same is pending.

4. Considering the submissions made by the learned Additional Government Pleader, this writ petition is disposed of with a direction to the petitioner to appear before the third respondent on 04.04.2024 and place all the relevant materials, if any, in his favour and the third respondent is also directed to consider the petitioner's representation and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

20.03.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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B.PUGALENDHI,J



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