



W.P.(MD) No.22699 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2024

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

**W.P.(MD) No.22699 of 2023
and
W.M.P.(MD) No.18966 of 2023**

G.Krishnamoorthy

... Petitioner

/vs./

1.The Revenue Divisional Officer,
Illuppur,
Pudukottai District.

2.The Tahsildar,
Kulathur Taluk,
Pudukottai District.

3.Kulanthaivelu

4.Vijaya

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 1st respondent vide his proceedings in Ne.Mu. 2193/2023/A5 dated 11.08.2023 and quash the same as illegal consequently



W.P.(MD) No.22699 of 2023

directing 1st respondent to cancel the patta issued in favour of the 3rd respondent in respect of the petitioner's property measuring to an extent of 50 cents comprised in Survey No. 324/7D1A situated at Mandaiyur Village, Kulathur Taluk, Pudukottai District and grant patta in his favour.

For Petitioner : Mr.T.Leninkumar

For R1 & R2 : Mr.D.S.Nedunchezian
Government Advocate

ORDER

The above writ petition has been filed for the issue of a Certiorarified Mandamus to quash the order passed by the first respondent in Ne.Mu. 2193/2023/A5 dated 11.08.2023 and to direct the first respondent to cancel the patta issued in favour of the third respondent in respect of the petitioner's property measuring an extent of 50 cents comprised in S.No.324/7D1A situated at Mandaiyur Village, Kulathur Taluk, Pudukottai District and grant patta in his favour.

2. The petitioner's application for cancelling the patta granted to the third respondent had been rejected on the ground that the suit O.S.No.45 of 2022 is pending on the file of the Additional District Court, Pudukottai. It is now



W.P.(MD) No.22699 of 2023

WEB COPY

informed that the said suit has been rejected on the application filed by the petitioner herein. Therefore, there is no impediment for hearing the application. Hence, the impugned order passed by the first respondent in Ne.Mu. 2193/2023/A5 dated 11.08.2023 is set aside and the matter is remitted back to the first respondent for considering the application afresh. The said exercise shall be completed within a month from the date of receipt of a copy of this order.

3. The Writ Petition stands allowed, accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

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

24.09.2024

mm

To

1.The Revenue Divisional Officer,
Illuppur,
Pudukottai District.

2.The Tahsildar,
Kulathur Taluk,
Pudukottai District.

3/4



WEB COPY



W.P.(MD) No.22699 of 2023

P.T.ASHA, J.

mm

W.P.(MD) No.22699 of 2023

24.09.2024