



W.P.(MD)No.25509 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.10.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.25509 of 2024

T.Mahendran

... Petitioner

/Vs./

1.The District Collector,
Thanjavur District, Thanjavur.

2.The Tahsildar,
Thanjavur Taluk,
Thanjavur District.

3.The Village Administrative Officer,
Thiruvadhikudi Village,
Thanjavur Taluk,
Thanjavur District.

4.The Revenue Divisional Officer,
Tanjore.

... Respondents

(R4 is suo motu impleaded vide order of this Court dated 25.10.2024.)

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to initiate a detailed inquiry into the issuance of fraudulent Death Certificates dated 30.03.2023 and 02.05.2023 and to cancel the Patta No.8246 in respect of



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S.No.72/1A1 to the extent of 0.21.00 Ares situated at Thirurvedhikudi Village, Thanjavur Taluk, Thanjavur District.

For Petitioner : Mr.P.Saravanakumar

For Respondents : Mr.D.Gandhiraj

Special Government Pleader

ORDER

This writ petition has been filed for a mandamus, seeking for a direction to the respondents to initiate a detailed inquiry into the issuance of fraudulent Death Certificates dated 30.03.2023 and 02.05.2023 and to cancel the Patta No.8246 in respect of S.No.72/1A1 measuring to the extent of 0.21.00 Ares situated at Thirurvedhikudi Village, Thanjavur Taluk, Thanjavur District.

2. Heard Mr.P.Saravanakumar, learned counsel appearing for the petitioner, and Mr.D.Gandhiraj, learned Special Government Pleader appearing for the respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



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4. According to the petitioner, the aforementioned death certificates were obtained fraudulently and therefore, patta No.8246 has to be cancelled. The petitioner has earlier given a single representation seeking for the aforementioned reliefs. Necessarily, the petitioner will have to give separate representations in respect of the alleged fraudulent death certificates and in respect of cancellation of the patta.

5. The learned Special Government Pleader appearing for the respondents, on instructions would submit that the respondents are willing to enquire into the petitioner's representations, if separate representations are submitted by the petitioner in respect of the alleged fraudulent death certificates and in respect of cancellation of patta, after affording a fair hearing to the petitioner and other rival claimants, if any.

6. No prejudice will be caused to the respondents, if the petitioner is allowed to submit separate representations in respect of the alleged fraudulent death certificates and in respect of the cancellation of patta and a direction is issued to the respondents to consider the same on



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merits and in accordance with law, after affording a fair hearing to the petitioner as well as other rival claimants within a time frame to be fixed by this Court.

7. Since the Revenue Divisional Officer is the competent authority to decide the petitioner's representations, this Court, by exercising its *suo-motu* powers, impleads the Revenue Divisional Officer, Tanjore as the fourth respondent in this writ petition.

8. For the foregoing reasons, this Court directs the petitioner to submit two separate representations, one in respect of the alleged issuance of fraudulent death certificates dated 30.03.2023 and 02.05.2023 and other in respect of cancellation of patta No.8246, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representations, the newly impleaded fourth respondent is directed to pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner as well as other rival claimants within a period of twelve weeks thereafter.



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9. With the above direction, this writ petition is disposed of. No costs.

25.10.2024

Index : Yes / No

NCC : Yes / No

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Thanjavur District.
- 3.The Village Administrative Officer,
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ABDUL QUDDHOSE, J.

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Order made in
W.P.(MD)No.25509 of 2024

Dated:
25.10.2024