



W.P.(MD) No.26217 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2024

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THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.26217 of 2024

1.Muthukaruppan

2.Periyanayagi

3.Prema

... Petitioners

/vs./

1.The District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Karaikudi.

3.The Tahsildar,
Tahsildar Office,
Karaikudi Taluk,
Sivagangai District.

4.Alagu Devi

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to cancel the patta stands in the name of Mrs.Alagiya Devi and mutate the same in favour of petitioners by considering their representation dated 24.08.2024 in the light of the judgement and decree dated 27.11.1992 passed in O.S.No.28 of 1988 on the file of the Sub Court, Devakottai confirmed by the judgment and decree dated 24.07.2007 passed in A.S.No. 995 of 1993 before this Court pertaining to T.S.No. 100, New T.S.No. 100/2 to an extent of 1605.18 sq.met., in Block No.2, Ward No. 2, in Alagappan Ambalam Street, Kalanivasal, Karaikudi Town and Taluk, Sivagangai District.

For Petitioners : Mr.D.Nallathambi

For R1 to R3 : Mr.B.Saravanan
Additional Government Pleader

ORDER

The above writ petition has been filed for the issue of a Writ of Mandamus directing the third respondent to cancel the patta stands in the name of Mrs.Alagiya Devi and mutate the same in favour of the petitioners by considering their representation dated 24.08.2024.



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2. A representation dated 24.08.2024 had been given by the petitioners to the third respondent to cancel the patta standing in the name of one Alagiya Devi and to mutate the same in their favour. The said request was made on the basis of the preliminary decree for partition passed in O.S.No.28 of 1988 on the file of the Sub Court, Devakottai followed by a final decree in I.A.No.158 of 2018 in the said suit, in and by which the petitioners were entitled to 1/3rd share. The said Alagiya Devi is stated to have obtained a patta on the basis of the fraudulent/forged document. Therefore, on the basis of this decree also, the request for cancelling the patta has been made. Despite a representation having been made on 24.08.2024, the same has not been considered.

3. Taking note of the above facts and also taking into consideration the fact that the document obtained by the said Alagiya Devi is stated to be a forged one, a Mandamus is issued to the third respondent to consider the petitioners' representation dated 24.08.2024 and dispose of the same on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.



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4. With the above directions, the Writ Petition stands disposed of. No costs.

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

30.10.2024

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To

- 1.The District Collector,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Karaikudi.
- 3.The Tahsildar,
Tahsildar Office,
Karaikudi Taluk,
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P.T.ASHA, J.

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