



W.P.(MD)No.26762 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.26762 of 2024

and

W.M.P.(MD)No.22686 of 2024

Parvathy

...Petitioner

Vs

The District Revenue Officer,
Madurai District,
Madurai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, forbearing the respondent from cancelling the patta in the name of the petitioner in Patta No.2962 in respect of S.No.96/1B Villur bit-1, Kallikudi Taluk, Madurai District, without conducting enquiry as per T.N.Patta Pass Book Act and Rules.

For Petitioner : Mr.J.Anandkumar

For Respondent : Mr.A.Kannan
Additional Government Pleader



W.P.(MD)No.26762 of 2024

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ORDER

Heard Mr.J.Anandkumar, learned counsel for the petitioner and Mr.A.Kannan, learned Additional Government Pleader, for the respondent.

2. This Writ Petition has been filed praying for a Mandamus, forbearing the respondent from cancelling the patta in the name of the petitioner in Patta No.2962 in respect of S.No.96/1B Villur bit-1, Kallikudi Taluk, Madurai District, without conducting enquiry as per Tamil Nadu Patta Pass Book Act and Rules.

3. The claim of the petitioner is that the land in Survey No.96/1B belongs to him and patta has also been issued in his favour. However, the respondent through Village Administrative Officer had called upon the petitioner to appear before him and he was informed that the land belongs to the temple and that patta is going to be cancelled. Apprehending unilateral cancellation of patta, the petitioner had approached this Court.



W.P.(MD)No.26762 of 2024

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4. On the other hand, the learned Additional Government Pleader appearing on behalf of the respondent would submit that it is only an apprehension and that it is imperative that as per law, no proceedings would be initiated without following due process of law.

5. In such view of the matter, I am inclined to direct the respondent as also any of the revenue authorities not to cancel the patta standing in the name of the petitioner without following due process of law.

6. Accordingly, this Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

08.11.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

The District Revenue Officer,
Madurai District,
Madurai.



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W.P.(MD)No.26762 of 2024

K.KUMARESH BABU, J.

Nsr

W.P.(MD)No.26762 of 2024

08.11.2024