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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.01.2025**

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P(MD)NO.2551 OF 2025

P.Periyasamy
Managing Partner,
PSG Properties, Melur,
D.No.5, Shree Padamalaya Shopping Complex,
Melur, Madurai District. : Petitioner

.vs.

1.The District Collector,
Thoothukkudi District,
Korampallam,
Thoothukudi.

2.The Revenue Divisional Officer,
Thoothukudi Division,
Collectorate Campus,
Korampallam,
Thoothukudi.

3.The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District,
Thoothukudi.

4.R.Maalaiyappan

5.R.Muthusamy

6.P.Balakandavel. :Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution



of India praying for issuance of a Writ of Mandamus directing the second respondent to conduct an enquiry with regard to cancellation of patta No.7560 issued to the sixth respondent by the third respondent in respect of S.No.1068 of Mudivaithanendal Village, Thoothukudi Taluk, Thoothukudi District and to restore the patta in the name of PSG Properties, Melur on the basis of the Petitioner's representation, dated 26.12.2024.

For Petitioner :Mr.M.Sankar

For Respondents :Mr.S.Kannan
1 to 3 Addl.Govt.Pleader

ORDER

This Writ Petition is filed for a Writ of Mandamus directing second respondent to conduct an enquiry with regard to cancellation of patta No.7560 issued to the sixth respondent by the third respondent in respect of S.No.1068 of Mudivaithanendal Village, Thoothukudi Taluk, Thoothukudi District and to restore the patta in the name of PSG Properties, Melur on the basis of the Petitioner's representation, dated 26.12.2024.

2.Mr.A.Kannan, learned Additional Government Pleader takes notice for the respondents 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



3.The Petitioner purchased the punja land comprised in S.No.1068 to an extent of 2 acre 95 cents and other punja lands comprised in different survey numbers of Mudivaithanendal Village, under a registered sale deed in Document No. 3919/2007.The Petitioner was also issued patta, in Patta No.4867 by the third respondent for the said property. While so, to the shock and dismay of the Petitioner, the third respondent deleted the said S.No.1068 from Patta No.4867. The Petitioner on enquiry came to understand that the respondents 4 and 5 created forged revenue documents with respect to the said property and conveyed the property to one Seeniyapillai on 12.04.2021 and on the strength of the said document, patta was transferred in the name of Seeniyapillai on 23.01.2023. The said Seeniya Pillai executed a sale deed in favour of the sixth respondent in Document No.324/2023. As the Patta was not transferred in favour of the Petitioner, the Petitioner submitted a detailed representation on 26.12.2024 to the second respondent to cancel the patta in patta No.7560 issued in favour of the sixth respondent and to issue patta in favour of the Petitioner. As no action was taken, the Petitioner has filed the above Writ Petition for the aforesaid relief.

4.The learned Additional Government Pleader, appearing for the respondents 1 to 3, on instructions, submits that enquiry in



the representation, dated 26.12.2024 is scheduled for tomorrow (30.12.2024) and therefore, reasonable time may be granted to the second respondent to complete the enquiry and pass final orders.

5. Considering the submissions made by the learned counsel for the Petitioner, a direction is issued to the second respondent to complete the enquiry and pass final orders on merits and in accordance with law as per the timeline stipulated in the Circular of Commissioner of Land Administration, dated 17.07.2023. It is needless to state that the second respondent shall give an opportunity of hearing to the petitioner and private respondents before passing final orders.

6. The Writ Petition is accordingly disposed of. No costs.

29.01.2025

NSC :Yes/No
Index:Yes/No
Internet:Yes/No
vsn

To

1. The District Collector,
Thoothukkudi District,
Korampallam,
Thoothukkudi.



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N.MALA, J.

vsn

ORDER MADE IN
W.P(MD)NO.2551 of 2025

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