



W.P.(MD) No.2272 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2025

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD) No.2272 of 2025

M.Velmurugan ... Petitioner

-vs-

1 The Revenue Divisional Officer,
Sattur,
Virudhunagar District.

2 The Tahsildar,
Virudhunagar Taluk,
Virudhunagar District.

3 Murugesan

4 Babu ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the first respondent to dispose of the appeal, dated 24.06.2024, filed by the petitioner, regarding cancellation of patta in Patta No.430, issued in favour of the 3rd and 4th respondents, and restore the same in favour of the petitioner in Patta No.368 in respect of the property situated in S.No.43/2 to an extent of 0.63.50 ares, at Kovilveerarpatti Village, Virudhunagar Taluk and District.



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For Petitioner : Mr.G.R.Satish

For Respondents 1 & 2: Mr.M.Muthumanikkam,
Govt. Advocate.

ORDER

This Writ Petition is filed for a mandamus, directing the first respondent to dispose of the appeal, dated 24.06.2024, filed by the petitioner, regarding cancellation of patta in Patta No.430, issued in favour of the 3rd and 4th respondents, and restore the same in favour of the petitioner in Patta No. 368, in respect of the property situated in S.No.43/2 to an extent of 0.63.50 ares, at Kovilveerarpatti Village, Virudhunagar Taluk and District.

2. The subject property in Survey No.43/2 to an extent of 0.63.50 ares, situated at Kovilveerarpatti Village, Virudhunagar Taluk and District, originally belonged to the petitioner's ancestor one Nallamadaiyal and patta was also issued in her name in Patta No.119. The said Nallamadaiyal died on 05.06.1996, leaving behind her son, namely, Velu, as her legal heir. The said Velu died in the year 1999, leaving behind his wife Kaliasammal and son Mariappan, as his legal heirs. The petitioner is the son of the said Mariappan. Mariappan died on 01.09.2017. Ever since the death of the petitioner's father – Mariappan, the petitioner, his mother – Chellathai, and the siblings have



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been in possession and enjoyment of the subject property. While so, the patta was transferred in the name of the petitioner in Patta No.368. The private respondents, on the basis of some fraudulent documents, managed to obtain patta, in Patta No.430 in their favour. The petitioner, therefore, filed an appeal before the first respondent on 24.06.2024, for cancellation of patta issued in the names of the private respondents and to restore the patta originally granted to the petitioner in Patta No.368. As no action was taken on the said appeal by the first respondent, the petitioner filed the above writ petition for the aforesaid relief

3. With the consent of the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

4. I have heard the learned counsel for the parties and also perused the materials available on record.

5. It is seen that the petitioner's appeal, dated 24.06.2024, has been pending with the first respondent without any progress. I, therefore, direct the first respondent to dispose of the appeal of the petitioner, dated 24.06.2024, within a period of twelve weeks from the date of receipt of copy of this order. Needless to state that the first respondent shall afford an opportunity of hearing to the interested persons and thereafter pass orders on merits and in accordance with law.



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

28.01.2025

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

dixit

To:

- 1 The Revenue Divisional Officer,
Sattur,
Virudhunagar District.
- 2 The Tahsildar,
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N.MALA, J.

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