



W.P.(MD)No.7612 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.7612 of 2025

and

W.M.P(MD)No.5757 of 2025

G.Srinivasan

.... Petitioner

/Vs./

1, The District Revenue Officer
Madurai District.

2. The Revenue Divisional Officer
Madurai Revenue Division, Madurai.

3.The Tahsildar
Vadipatti Taluk, Madurai.

4. Jothimeena Mamalaiyan

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent in FI ID.2024/0123/24/8557/2024 and quash the same as illegal and in consequence thereof direct the 1st respondent to dispose the pending enquiry in O.Mu.No. E2586897/2024/J on the basic of petitioner's representation dated 14.10.2022 thereby seek to cancel the patta for the S.No. 126/5B within the stipulated time.



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For Petitioner : Mr.P.Ganapathi Subramanian
For R1 to R3 : Mr.C.Satheesh
Government Advocate

ORDER

I have heard Mr.P.Ganapathi Subramanian, learned counsel for the petitioner and Mr.C.Satheesh, learned Government Advocate appearing for the respondents 1 to 3.

2. Considering the scope of the relief sought for and the challenge being only to survey notice, the writ petition is taken up for final disposal, with the consent of the counsel appearing on either side.

3. The learned counsel for the petitioner would submit that the fourth respondent, without any interest in the subject lands, has made an application for survey, as if he had retained 73 sq.ft. It is the specific case of the petitioner that while land acquisition proceedings were initiated, the entire extent belonging to the fourth respondent was already acquired and nothing remains available to the fourth respondent. In this



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regard, the petitioner has already approached the Revenue Divisional Officer on 14.10.2022 seeking patta to be cancelled since the said patta does not reflect the ground reality.

4. The grievance of the petitioner is that no orders have been passed on his application dated 14.10.2022. However, now at the request of the fourth respondent, the respondents are coming forward to survey in view of the directions of this Court in W.P.(MD)No.16766 of 2024 by an order dated 24.07.2024. It is seen that the said writ petition has been disposed of in the admission stage. This Court was certainly not put on notice about the pending objections of the writ petitioner regarding cancellation of patta issued to the fourth respondent, in view of the subsequent events, namely, the land acquisition proceedings.

5. Therefore, it would be just and proper to decide the pending application dated 14.10.2022 filed by the petitioner seeking cancellation of patta of the fourth respondent. The said exercise shall be carried out by the second respondent after hearing the petitioner as well as the fourth respondent, within a period of eight weeks from the date of receipt of a



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copy of this order. Subject to the decision of the second respondent, the petitioner's application for survey shall be either proceeded with/refused.

6. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
am

20.03.2025

To

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P.B. BALAJI, J.

am

Order made in
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