



W.P.(MD)No.12256 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.04.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.12256 of 2025

and

W.M.P(MD)No.8997 of 2025

Renganathan

.... Petitioner

/Vs/

1. The District Collector
Collectorate, Pudukkottai District.
2. The Revenue Divisional Officer
Pudukkottai District.
3. The Tahsildhar
Gandharvakottai, Pudukkottai District. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to conduct the enquiry and pass final orders on the appeal preferred by the petitioner dated 18.12.2023 and to issue Natham Patta in respect of S.No. 445/17 and 445/18 with an extent of 44 cents of Koviloor Village, Gandharvakkottai Taluk, Pudukkottai District by considering the petitioner's representation dated 12.02.2025 within time stipulated by this Court.



W.P.(MD)No.12256 of 2025

WEB COPY

For Petitioner : Mr.R.Paranjothi
for M/s.KBS Law Office
For R1 : Mr.S.Kameswaran
Government Advocate

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the second respondent to conclude the enquiry of petitioner's appeal 18.12.2023 and to consequently issue natham patta to the petitioner.

2. I have heard Mr.R.Paranjothi, learned counsel appearing for the petitioner and Mr.S.Kameswaran, learned Government Advocate appearing for the respondents.

3. It is the contention of the petitioner that though the petitioner was treated as encroacher and he was called upon to vacate by proceedings dated 16.12.2023, the petitioner has preferred an appeal before the second respondent on 18.12.2023 and despite the representation given on 12.02.2025, no orders have been passed on the said appeal dated 18.12.2023.



W.P.(MD)No.12256 of 2025

WEB COPY

4. The learned Government Advocate would rely on the order passed by this Court in W.P(MD)No.416 of 2024, where, the Hon'ble Division Bench of this Court by an order dated 26.02.2024, in a writ petition filed by one Chinnadurai, directing the respondents 1 to 4 to take action against the fifth respondent, who was alone impleaded in the said writ petition. I do not find any identity of the encroachers name in this writ petition.

5. Considering the fact that a building has been constructed in the disputed property, the District Revenue Officer is the competent authority to consider the petitioner's application though the petitioner has not made the District Revenue Officer as a party in this writ petition, it would suffice to direct the petitioner give a fresh application to the District Revenue Officer, Pudukkottai, within a period of two weeks from the date of receipt of a copy of this order. The District Revenue Officer, Pudukkottai shall after affording an opportunity to the petitioner pass final orders on the petitioner's application, within a period of eight weeks, thereafter. Till such time, the petitioner's possession shall not be disturbed.



W.P.(MD)No.12256 of 2025

WEB COPY

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

Index : Yes / No
NCC : Yes / No
am

25.04.2025

To

1. The District Collector
Collectorate, Pudukkottai District.
2. The Revenue Divisional Officer
Pudukkottai District.
3. The Tahsildhar
Gandharvakottai, Pudukkottai District.

Copy To

The District Revenue Officer,
Pudukkottai.



WEB COPY



W.P.(MD)No.12256 of 2025

P.B. BALAJI, J.
am

Order made in
W.P.(MD)No.12256 of 2025

Dated:
25.04.2025