



W.P.(MD)No.22502 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.22502 of 2018

Kamal

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Special Tahsildar,
(Adi Dravidar Welfare),
Special Tahsildar Office,
Srivilliputtur at Rajapalayam,
Virudhunagar District.

3. Amutha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to cancel the free two pattas issued under the Scheme of Landless Poor Adhi Dravidar Welfare Scheme in the name of the third respondent based on the petitioner's representation dated 12.07.2018.



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For Petitioner : Mrs.M.Deepa Jothi
for Mr.S.Muniyandi

For R1 & R2 : Mrs.K.Malathi
Additional Government Pleader

For R3 : Mr.C.Vakeeshwaran

ORDER

The learned Counsel appearing for the petitioner would submit that nothing survives for consideration in this writ petition.

2. Though the learned Counsel states that nothing survives for consideration in the writ petition, and insofar as the writ petition is concerned, there is no issue, the writ petition can be disposed of recording the said statement of the learned Counsel for the petitioner.

3. However, the learned Counsel appearing for the third respondent would submit that even in 1999, a patta was issued to the third respondent. The third respondent and similarly placed persons were not even aware of the issuance of said patta, and subsequently, in 2002 they were assigned pattas in respect of lands located in an entirely different area. In the said locations, the



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third respondent and similarly placed persons have already occupied the lands

and have also put up construction.

4. Therefore, the learned Counsel for the third respondent apprehends that, in view of the writ petitioner stating that nothing survives for consideration in the writ petition, proceedings may be initiated against the third respondent in respect of the second patta issued on 26.11.2002. Anyhow, it is a call which the Revenue authorities have to take and arrive at an appropriate decision, and this Court cannot preempt a situation where the third respondent's patta would be cancelled. However, it would suffice to state that the official respondents shall strictly follow the due process of law in the event of any decision being taken to cancel the patta issued to the third respondent and a fair opportunity shall be afforded to the third respondent to show cause why the patta issued to the third respondent should not be cancelled.

5. Accordingly, this Writ Petition is dismissed as infructuous. No costs

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

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P.B.BALAJI, J.

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