



W.P.(MD)No.24886 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2025

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CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.24886 of 2023

K.Mathiyalagan

: Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.

3.The Tahsildar,
Thiruvudaimaruthur Taluk Office,
Thiruvudaimaruthur,
Thanjavur District.

4.R.Natarajan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, issue a of a Writ of Mandamus, directing the second and third respondent herein to cancel the patta in the name of the fourth respondent herein and issue the patta to the petitioner with regard



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to property in Survey No.147/1 to an extent of 15 cents situated at Athipakkam Village, Thiruvudaimaruthur Taluk, Thanjavur District based on the petitioner's representation dated 25.07.2023.

For Petitioner : Mr.G.Gomathisankar

For Respondents 1 to 3 : Mrs.K.Malathi

Additional Government Pleader

For Respondent No.4 : Mr.S.Sankar

ORDER

The petitioner seeks issuance of a Writ of Mandamus, to direct the respondents 2 to 3 to conduct an enquiry and cancel the patta issued to the fourth respondent in respect of Survey No.147/1 to an extent of 15 cents situated at Athipakkam Village, Thiruvudaimaruthur Taluk, Thanjavur District. The petitioner has given a representation on 25.07.2023.

2.Heard the learned Counsel for the parties.

3.Learned Additional Government Pleader would submit that S.No.147/1 has been subsequently sub-divided into various survey numbers and therefore, the petitioner cannot seek for cancellation of patta in respect of S.No.147/1, which has already been sub-divided.



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4.However, the case of the petitioner is that patta has been issued to the fourth respondent and it is the said patta, which is sought to be cancelled. In this regard, the petitioner has already made a representation on 25.07.2023 and the same is pending with the second respondent / Revenue Divisional Officer, who is the competent authority to look into the grievance of the writ petitioner.

5.Without going into the merits of the entitlement of the petitioner to seek cancellation of the patta of the fourth respondent, the second respondent is directed to conduct an enquiry after hearing the petitioner as well as fourth respondent and thereafter, pass final orders on the petitioner's application in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order.

6.Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

03.04.2025

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



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P.B.BALAJI., J.

MR

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