

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.4672 of 2015

K.Vijayalakshmi

... Petitioner

vs.

1.The District Collector,
Salem District,
Salem-636 001

2.The Revenue Divisional Officer,
Salem District.

3.The Tahsildar,
Valapadi Police Station,
Salem District.

4.The Village Administrative Officer,
Ayothiyapattinam,
Valapadi Taluk,
Salem District

5.S.Vasudevan

6.P.Ravi

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the second respondent to pass orders on the petitioner's revision petition sent on 29.05.2013 by the petitioner to cancel the mutation of revenue records in favour of the respondents 5 & 6 in respect of the property comprised of S.No.158, measuring at about 1200 sq.ft.situated at Ram Nagar, Ayothiyapattinam, Salem District.

For Petitioner : Mr.A.Nagarathinam

For Respondents :Mr.Gunasekaran,G.A.
for R1 to R4

ORDER

Heard Mr.A.Nagarathinam, the learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing for the respondents and with the consent of either side, the writ petition itself is taken up for final disposal at the admission stage.

2.The petitioner seeks for a direction upon the second respondent to pass orders on her revision petition, dated 29.05.2013, seeking to cancel the mutation of revenue records in favour of respondents 5 and 6, in respect of the property comprised in S.No.158, measuring at about 120 sq.ft., situated at Ram Nagar, Ayothiyapattinam, Salem District.

3. According to the petitioner, she filed a statutory revision before the second respondent, on 29.5.2013, for cancellation of the mutation of Revenue records in favour of respondents 5 and 6 in respect of the property in question.

4. It is seen that the revision petition was entertained and personal hearing was conducted on 7.11.2014. The petitioner would state that she has appeared for personal hearing, but respondents 5 and 6 did not appear. Therefore, the petitioner has filed this writ petition.

5. In the light of the above, since the writ petition is disposed of at the admission stage without notice to respondents 5 & 6, the merits of the claim made by the petitioner or the allegations made by the petitioner against respondents 5 and 6 are not gone into and it is left open to be considered by the revisional authority. Accordingly, there will be a direction to the second respondent to issue fresh notice to R5 and R6 and hear the parties concerned and pass a reasoned order on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

msk

To

1.The District Collector,
Salem District,
Salem-636 001

2.The Revenue Divisional Officer,
Salem District.

3.The Tahsildar,
Valapadi Police Station,
Salem District.

4.The Village Administrative Officer,
Ayothiyapattinam,
Vadapadi Taluk,
Salem District

1 cc to mr.A.Nagarathinam. Advocate, sR. 9918
1 cc to Government Pleader, Sr. 10217

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NM (CO)
kk 6/3



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