



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.09.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD).No.16492 of 2015

WEB COPY

A.Palanichamy

...Petitioner

Vs.

1.The Revenue Divisional Officer,
Palani,
Dindigul District.

2.The Tahsildhar,
Vedasandur Taluk,
Dindigul District.

...Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to complete the enquiry pursuant to the proceedings of the first respondent in Na.Ka.No.3185/12/A1, dated 27.12.2012 relating to restoration of patta in SF.No.263/2A, Vellanampatti, Vedasandur Village, Dindigul District in the name of the petitioner and pass appropriate orders within the time frame fixed by this Court.

For petitioner : Mr.B.Saravanan

For Respondents : Mr.S.Kumar

Additional Government Pleader

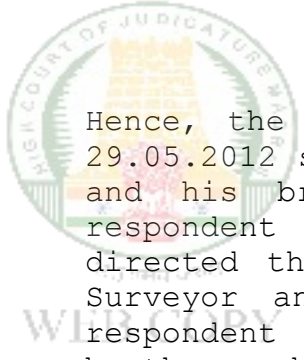
ORDER

This Writ Petition has been filed praying for a Writ of Mandamus directing the respondents to complete the enquiry pursuant to the proceedings of the first respondent in Na.Ka.No.3185/12/A1, dated 27.12.2012, relating to restoration of patta in SF.No.263/2A, Vellanampatti, Vedasandur Village, Dindigul District in the name of the petitioner and pass appropriate orders within a stipulated time.

2. Mr.,S.Kumar, learned Additional Government Pleader takes notice for the respondents.

3. By consent, the Writ Petition itself is taken up for final disposal.

4. It is averred in the petition that the property in S.F.No.263 measuring to an extent of 7.69 acres, Vellanampatti, Vedasandur Village, Dindigul District originally belonged to the petitioner and his brother by name S.Ramasamy. Subsequently, an extent of 6.71 acres was sold to one Vellaichamy and one Muthuchamy. Further, from the above extent of 7.69 acres in SF.No.263, an extent of 10 cents was gifted to the Commissioner, Vedasandur Panchayat Union and the remaining 88 cents stood in the name of the petitioner and his brother. While the matter stood for disposal, the petitioner came to know that patta in respect of the landed property in SF.No.263/2A which includes an extent of 88 cents belongs to the petitioner and his brother, stood in the name of one Bommana Gounder.



Hence, the petitioner made a representation to the first respondent on 29.05.2012 seeking for restoration of patta in the name of the petitioner and his brother. On receipt of such representation, the first respondent by proceedings in Na.Ka.No.3185/12/A1, dated 27.12.2012 directed the second respondent to cause field inspection through Taluk Surveyor and submit a report. Based on the same, the second respondent conducted an enquiry and in which, the petitioner and his brother submitted their statement on 27.06.2013 itself. Thereafter, there was no response. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the submissions made on either side, without going into the merits of the averments made in the petition, the second respondent is directed to complete the enquiry and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of hearing to all the necessary parties, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the respondent to consider the same purely on merits.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1.The Revenue Divisional Officer,
Palani, Dindigul District.

2.The Tahsildhar,
Vedasendur Taluk,
Dindigul District.

+1cc to M/s.B.Saravanan, Advocate in SR.No.53913

+1CC to the Special Government Pleader, in SR.No.53959

W.P(MD).No.16492 of 2015

11.09.2015

pm

PBK/GSV-PM/SAR-II 25/09/2015 ::2P-5C::