

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 20.08.2015****C O R A M****THE HONOURABLE MS.JUSTICE V.M.VELUMANI****W.P(MD) No.13726 of 2013**

Veeraiyan

... Petitioner

Vs.

1.The District Revenue Officer,
Thanjavur District.

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

3.The Tahsildar,
Orathanadu Taluk,
Thanjavur District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the Respondent No.1 to expeditiously complete the enquiry on the basis of the petitioner's representation dated 07.02.2013 within the time stipulated by this Court.

For petitioner
For Respondents

...Mr.S.Malai Kani
...Mr.M.Alagathevan
Spl. Govt. Pleader

O R D E R

The writ petition has been filed for a writ of mandamus, directing the Respondent No.1, to expeditiously complete the enquiry, on the basis of the petitioner's representation, dated 07.02.2013

2.According to the petitioner, he is the owner of the land in question. One Chithamparam, Son of Kandasamy, fabricated the documents and got his name included in the Revenue Records. The said Chithamparam filed a civil suit in O.S.No.85 of 2012 before the District Munsif/Judicial Magistrate, Orathanadu, for injunction. The petitioner gave a representation on 07.02.2013 to the first respondent to conduct an enquiry and include his name in the Revenue Records and cancel the name of said Chithamparam. Notice was issued calling upon the petitioner to attend the enquiry on 08.05.2013. The said notice was received by the petitioner only on 13.05.2013. Therefore, he could not attend the enquiry. On 15.05.2013, he sent explanation along with documents, but the respondents did not conduct any enquiry and did not pass any order. In the circumstances, the petitioner has approached this Court for the relief stated supra.



3. Heard the learned counsel appearing for the petitioner and the respondents.

4. From the averments made by the petitioner in the affidavit, it is seen that there is a dispute between the petitioner and one Chithambaram. The said Chithambaram has filed a suit in O.S.No.85 of 2012 before the District Munsif Court/Judicial Magistrate Court, Orathanadu, against the petitioner. Further, the representation given by the petitioner in the year 2013 and the petitioner could not attend the hearing, as notice received by him belatedly.

5. In the circumstances, the petitioner is directed to approach the Civil Court to establish his title and then, approach the authorities for redressal of his grievance.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

Am

To

1. The District Revenue Officer,
Thanjavur District.

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

3. The Tahsildar,
Orathanadu Taluk,
Thanjavur District.

+1Cc to Spl. Government Pleader Sr.No.48528

+1CC to Mr.R.Alagumani Advocate Sr.No.48678

GJM/NGM/SS/6C

W.P (MD) No.13726 of 2013
20.08.2015