



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 17.06.2016

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.10694 of 2016

C.Sornathammal

..Petitioner

Vs

1.The Revenue Divisional Officer,
Usilampatti Division,
Usilampatti,
Madurai District.

2.The Tahsildar,
Thirumangalam Taluk,
Thirumangalam,
Madurai District.

3.Shanmugathammal

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent/The Tahsildar, Thirumangalam to take speedy action to implement the orders of the Revenue Divisional Officer, Usilampatti passed in her proceedings No.ROC.8480/2010/A3, dated 27.09.2012 by including the Petitioner's name also as Joint Pattadhar in Patta No.2256, in respect of the land in S.No.361/11 of Karadikal Village, Thirumangalam Taluk, within the time limit specified by this Court.

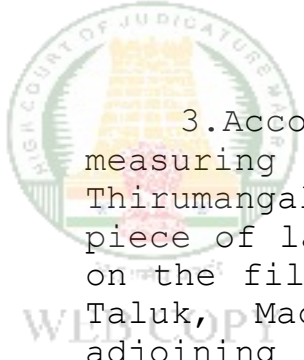
For Petitioner :M/s.Visvalingam

For Respondents :Mr.J.Gunaseelan Muthiah
1 and 2 Government Advocate

ORDER

Heard both sides.

2.To avoid the avoidable delay, notice to the Third Respondent is dispensed with.



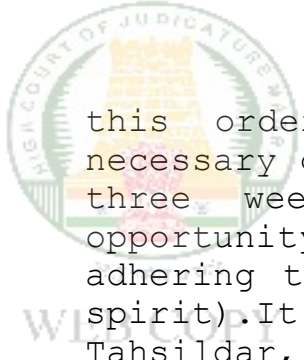
3. According to the Petitioner, she owns a piece of land measuring 1.30 acres in S.No.361/11 of Karadikal Village, Thirumangalam Taluk, Madurai District and she purchased this piece of land by means of registered sale deed, dated 29..7.1973 on the file of Chekkanurani Sub-Registrar Office, Thirumangalam Taluk, Madurai District. The same piece of land along with adjoining lands were purchased later on 27.08.2006 by the Third Respondent/Shanmugathammal.

4. The categorical plea projected on behalf of the Petitioner is that after a detailed enquiry made by the First Respondent/The Revenue Divisional officer, Usilampatti Division, Usilampatti, Madurai District, a direction was issued to the Second Respondent/The Tahsildar, Thirumangalam Taluk, Thirumangalam, Madurai District, as per proceedings, dated 27.09.2012 to register the land in question namely 1.30 acres in S.No.361/11 of Karadikal Village jointly in her name also. The said orders have become conclusive and final. In fact, no appeal was preferred against the aforesaid orders of the First Respondent even after a lapse of four years. The said orders have not been carried out by the Second Respondent/The Tahsildar Thirumangalam Taluk, Thirumangalam, Madurai District.

5. It comes to be known that the Petitioner has addressed a representation on 16.12.2015 and 21.4.2016 to the Second Respondent/The Tahsildar, Thirumangalam Taluk, Thirumangalam, Madurai District praying to implement the orders, dated 27.09.2012 of the First Respondent/The Revenue Divisional Officer, Usilampatti Division, Usilampatti, Madurai District by including her name also in Patta No.2256 in respect of the land in S.No.361/11 of Karadikal Village, Thirumangalam Taluk, Madurai District. However, there is no response from the Second Respondent/The Tahsildar, Thirumangalam Taluk, Thirumangalam, Madurai District. Hence the Petitioner has filed the present Writ Petition.

6. On behalf of the Respondents 1 and 2, it is represented before this Court that the Second Respondent/The Tahsildar, Thirumangalam Taluk, Thirumangalam, Madurai District will look into the matter and take significant follow-up action in the subject-matter in issue, if a reasonable time is granted by this Court.

7. In view of the fact that the Petitioner's representations, dated 16.12.2015 and 21.4.2016 respectively, are pending as on date and the same are not yet disposed of, at this stage, this Court in furtherance of substantial cause of justice, directs the Second Respondent/The Tahsildar, Thirumangalam Taluk, Thirumangalam, Madurai District to look into the representations of the Petitioner, dated 16.12.2015 and 21.4.2016 respectively, within a period of one week from the date of receipt of a copy of



this order. Thereafter, the Second Respondent is to pass necessary orders in the subject-matter in issue within a period of three weeks thereafter (of course after providing necessary opportunity to the Petitioner and others concerned, if any, by adhering to the principles of natural justice in true letter and spirit). It is needless to state that the Second Respondent/The Tahsildar, Thirumangalam Taluk, Thirumangalam, Madurai District shall pass a reasoned speaking order on merits in a fair, free, un-biased and dispassionate manner within the time determined by this Court, as stated supra. Liberty is granted to the Petitioner to produce necessary copies of documents/records before the Second Respondent/The Tahsildar, Thirumangalam Taluk, Thirumangalam, Madurai District and on production of the said records/documents, the Second Respondent shall take into account of the same and to pass appropriate orders in the subject-matter in issue, in any event, as expeditiously as possible and not later than the time limit prescribed by this Court, as stated earlier.

8. With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

vsn

To

1. The Revenue Divisional Officer, Usilampatti Division,
Usilampatti, Madurai District.

2. The Tahsildar, Thirumangalam Taluk,
Thirumangalam, Madurai District.

+1CC to Mr. C. Visvalingam, Advocate Sr.No. 31091

+1CC to Spl. Government Pleader Sr.No. 31180

GJM/DB/27.6.16-3p-5C

W.P (MD) No. 10694 of 2016
17.06.2016