

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.5933 of 2017

1.Ms.Dhanalakshmi  
2.Mr.Vadivel  
3.Smt.A.Rani  
4.Mr.A.Sekar  
5.Smt.A.Ranjitham

... Petitioners

Vs.

1. The District Collector,  
Kancheepuram District,  
Having office at District Collectorate,  
Kancheepuram Town, Taluk and District.  
2. The Tahsildhar,  
Sriperumbudur Taluk Office,  
Sriperumbudur Town and Taluk,  
Kancheepuram District.  
3. Mr.M.Manogaran  
4. Smt.Gnanasoundari

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus, directing the 2<sup>nd</sup> respondent to complete the enquiry proceedings in A.Ki.Mu.xxx/2010/A1 dated 20.12.2010, within the reasonable time period, as fixed by this Court and to direct the 2<sup>nd</sup> respondent to pass consequential final orders in the above proceedings in A.Ki.Mu.xxx/2010/A1 dated 20.12.2010.

For Petitioners : Mr.K.Rajasekaran

For Respondents : Mr.A.N.Thambidurai,  
1 & 2 Special Government Pleader

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The petitioners moved the second respondent for transfer of patta in respect of the land admeasuring to an extent of 33 cents in S.No.252/1, situate at Thirumangalam Village, Sriperumbudur Taluk, Kancheepuram District and the

second respondent vide communication dated 20.12.2010, has directed the Revenue Inspector, Sunguvarchatram, Sriperumpathur Taluk to conduct an enquiry and submit a report and accordingly, the said Official submitted his report, vide communication dated 22.03.2011, in O.Mu.No.112/2011 to the second respondent.

3. The learned counsel appearing for the petitioners would submit that in the light of the positive recommendations made, there cannot be any impediment on the part of the second respondent to pass necessary and appropriate orders for transfer of patta and for the reasons best known, the order is yet to be passed and therefore, the petitioners are left with no other option, has approached this Court by filing this writ petition.

4. Per contra, Mr.A.N.Thambidurai, learned Special Government Pleader, who accepts notice on behalf of the respondents would submit that appropriate direction may be issued to the second respondent to pass orders as expeditiously as possible.

5. This Court, taking into consideration the rival submissions and the above facts and circumstances and without going into the merits of the claim projected by the petitioners, directs the second respondent to act on the communication of the Revenue Inspector, Sunguvarchatram, Sriperumpathur Taluk, dated 22.03.2011 and after putting the concerned persons on notice, shall pass orders with regard to the transfer of patta on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the persons concerned.

6. In the considered opinion of this Court that the delay on the part of the second respondent to consider the recommendation of the Revenue Inspector, Sunguvarchatram, Sriperumpathur Taluk, prima facie appears to be wilful and deliberate and therefore, the first respondent shall take appropriate action against the concerned official/s in the light of Letter No.19925/SS.I(1)/2015-2, dated 10.06.2015, sent by the Secretary to Government, Revenue Department, Secretariate, Chennai - 9 to all the District Collectors.

7. This writ petition is disposed of accordingly. No costs.

Sd/-  
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsm

To

1. The District Collector,  
Kancheepuram District,  
Having office at District Collectorate,  
Kancheepuram Town, Taluk and District.
2. The Tahsildhar,  
Sriperumbudur Taluk Office,  
Sriperumbudur Town and Taluk,  
Kancheepuram District.
3. The Secretary to Government,  
Revenue Department,  
Secretariat, Chennai 09.

+1cc to Mr.K.Rajasekaran, Advocate, S.R.No.15385  
+1cc to the Government Pleader, S.R.No.15491

Writ Petition No.5933 of 2017

BR(CO)  
CA(06/04/2017)



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