



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2017

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) No.12546 of 2017

Sethuraman

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Madurai,
Madurai District.

3.The Tahsildar,
Madurai South Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 3rd respondent to implement the orders of the 2nd respondent passed by his proceedings in Ni.Mu.No.3271/2010/N, dated 20.09.2013, within a stipulated time as may be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Balakarthick

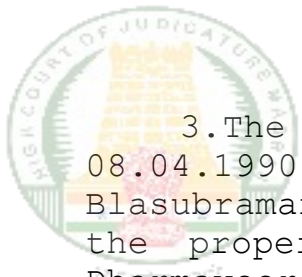
For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

O R D E R

The prayer in the Writ Petition is for issuing a Writ of Mandamus, directing the third respondent to implement the order of the second respondent passed by his proceedings in Ni.Mu.No.3271/2010/N, dated 20.09.2013, within a stipulated time.

2.The case of the petitioner is that his father Gurusampillai, purchased 8 1/2 cents of land out of 1 Acre 80 cents in Old S.No.385/4A1A and new S.No.385/6 in Ayanpappakudi Village, Madurai South Taluk, through a registered sale deed dated 02.07.1964.

A patta was also issued in his name in 1969 and he was in possession of the property till his demise.



3.The petitioner would state that his father died on 08.04.1990, leaving behind the petitioner and his brothers Blasubramaniam and Muthiah, as legal heirs and they were enjoying the property. Later, in the revenue records, names of one Dharmaveeran and Velu, who are the grand sons of the original owner were included in the patta. Hence, the petitioner submitted an application to rectify the mistake. The second respondent by his order dated 20.09.2013, directed the third respondent to issue patta in the name of the petitioner. Despite the same, the third respondent did not pass any orders.

4.The learned counsel appearing for the petitioner would submit that the petitioner again made representations to the second respondent and based on the representations, the second respondent issued further direction to implement the order. Since, it was not done, the present Writ Petition has been filed.

5.Heard Mr.S.Balakarthick, learned counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents.

6. By consent of both parties, the main Writ Petition itself is taken up for disposal.

7. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the case, this Court directs the third respondent to implement the order of the second respondent as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

8.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1.The District Collector, Madurai District, Madurai.

2.The Revenue Divisional Officer, Madurai, Madurai District.

3.The Tahsildar, Madurai South Taluk, Madurai District.

+1cc to M/S.S.BALAKARTHICK, Advocate SR.No.66868

+1cc to Special Government Pleader, SR.No.67132

MR/LS

MAS/KP/SAR2:07.08.2017:2P-6C