



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.02.2017

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD)No. 1811 of 2017

M.Muthukumaran @ Prabakaran

... Petitioner

vs.

- 1.The District Collector,
Madurai District.
- 2.The Revenue Divisional Officer,
Usilampatti Circle,
Usilampatti, Madurai District.
- 3.The Tahsildar,
Usilampatti Taluk,
Usilampatti, Madurai District.
- 4.The Village Administrative Officer,
Usilampatti Village,
Usilampatti, Madurai District.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the 2nd and 3rd respondent herein to pass orders on the enquiry contemplated under proceeding Na.Ka.No.6094/2016/A2, dated 23.12.2016 on the file of the 3rd respondent pertaining to illegal transfer of Patta for the property under S.No.24/6B.

For Petitioner

: Mr.K.R.Laxman

For Respondents

: Mr.C.Selvaraj

Special Government Pleader

ORDER

Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents.

2. Considering the limited scope of the prayer sought for, by consent of parties, the main Writ Petition itself is taken up for final disposal.

3.The grievance of the petitioner is that the patta to his property comprised in Survey No.24/6B situated at Usilampatti, Madurai District, has been illegally changed to the names of one Kalyanasundaram from the name of Chinnapandi. Hence, the petitioner had given a representation to the third respondent and based on which, an enquiry has also been said to have been conducted. Thereafter, no orders have been passed till date.



Hence, the petitioner now seeks for a direction to the second and third respondents to pass orders on the enquiry contemplated vide proceeding in Na.Ka.No.6094/2016/A2, dated 23.12.2016.

4. In view of the limited scope of the prayer sought for in this writ petition and without going into the merits of the claim made by the petitioner in his application dated 22.09.2016 for grant of patta, there shall be a direction to the third respondent to conduct an enquiry and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. While conducting such enquiry, the third respondent shall give due opportunity to the petitioner as well as Kalyanasundaram and Chinnapandi and to any other persons, who have interest over the subject property.

With the above direction, this Writ Petition stands allowed.
No Costs.

Sd/-
Assistant Registrar(RTI)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The District Collector,
Madurai District.
- 2.The Revenue Divisional Officer,
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- 3.The Tahsildar,
Usilampatti Taluk,
Usilampatti, Madurai District.
- 4.The Village Administrative Officer,
Usilampatti Village,
Usilampatti, Madurai District.

+1 cc to MR.K.R.Laxman, ADVOCATE, SR NO:5931
+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO:6304

pm
sva/bs/16.02.2017/2p/7c