



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2017

WEB COPY

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRA BAABU

W.P(MD)No.11422 of 2016

S. Guruvammal

.. Petitioner

vs.

1. The District Revenue Officer,
Thoothukudi.

2.The Revenue Divisional Officer,
Kovilpatti.

3. Town Survey Special Tahsildar,
Kovilpatti.

(cause title of the 3rd respondent is amended vide court
order dt. 08/08/2016 in
WMP(MD) 10523/2016)

4.G.Rajalakshmi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus directing the 3rd respondent to restore the Patta granted in favour of the petitioner and her purchaser on the basis of records, documents and also the judgment and decree passed by the courts by making enquiry as directed by the 1st respondent vide his proceedings bearing Na.Ka. T3/19759/2006 dated 26.07.2014 within a period of time that may be stipulated by this Honble court.

For Petitioner	: Mr. S. Siva Ilayaraja and
	: Mr. R.S.T. Ravanar @ Ramasubramanian
For Respondents	: Mr. C.Selvaraj
	Special Government Pleader

O R D E R

The petitioner seeks for a direction to the third respondent to restore the patta issued in favour of the petitioner and her purchaser based on the proceedings of the first respondent dated 26.07.2014.

2. Heard both sides.

<https://hcservices.courts.gov.in/hcservices> It is stated that the patta, originally stood in the name of the petitioner, was transferred in the name of the fourth respondent by the Tahsildar. Challenging the said transfer, the petitioner



preferred an appeal before the Revenue Divisional Officer, Kovilpattti, who in turn, by an order dated 02.06.2006 remitted the matter to the Tahsildar for conducting fresh enquiry and passing fresh order. Challenging the said order of the Revenue Divisional Officer, the petitioner preferred further revision before the District Revenue Officer, Tuticorin. The District Revenue Officer, through the order dated 26.07.2014, confirmed the order of the Revenue Divisional Officer and directed the Tahsildar to hold an enquiry and pass appropriate orders. Now the grievance of the petitioner is that even though the said order was passed by the Revenue Divisional Officer as early as on 26.07.2014, till this date, no final order has been passed by the Tahsildar.

4. On the other hand, the learned Special Government Pleader based on instructions submitted that the petitioner is not co-operating with the enquiry as he has not produced necessary documents sought for by the Tahsildar.

5. Considering the above stated facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents, the petitioner is directed to produce necessary documents sought for by the Tahsildar within a period of three weeks from the date of receipt of copy of this order and on receipt of such documents and also after giving opportunity of hearing to the fourth respondent, the third respondent shall pass orders in compliance of the order passed by the first respondent within a period of 12 weeks from the date of receipt of documents from the petitioner.

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

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To,

1. The District Revenue Officer, Thoothukudi.
 2. The Revenue Divisional Officer, Kovilpattti.
 3. Town Survey Special Tahsildar, Kovilpattti.
- +1 cc to Mr.S.SIVA ILAYARAJA, Advocate, Sr.No:262

cm

MAS/MPA-JK:18.01.2017: 2P/ 5C