



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2017

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.22988 of 2017

S.Bandanam

... Petitioner

Vs.

1. The Principal Secretary and Commissioner of
Land Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

2. The District Revenue Officer,
Madurai District,
Madurai - 625 020.

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the first respondent i.e., the Principal Secretary and Commissioner of Land Administration, Chennai to pass appropriate orders on the proposal sent by the District Revenue Officer, Madurai in his R.C.No.44694/2010/G4 dated 04.07.2014 for making sub division of the entire extent and allotting 1.87 acres in the name of Boodhan Movement and the remaining extent in the name of the original pattadhar Thiru S.Seshiah Naidu, within a specified time frame, that may be fixed by this Hon'ble Court.

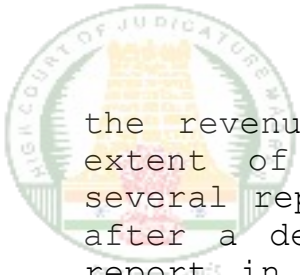
For Petitioner : Mr.S.Visvalingham
For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader, takes notice for the respondents.

3. According to the petitioner, the property in S.No.35 of Vepadappu Village, Melur Taluk, Madurai District, measuring an extent of 6.87 acres belongs to her grandfather, namely, S.Seshiah Naidu. Out of the said 6.87 acres, her grandfather gave 1.87 acres to Boodhan Movement and her family was in possession and enjoyment over the remaining 5 acres. Whereas, after the UDR Scheme, 1983, in



the revenue records, it was mistakenly entered, as if the total extent of 6.87 acres belongs to Boodhan Movement. Thereafter, several representations came to be filed and the second respondent, after a detailed and elaborate enquiry, has forwarded an enquiry report in R.C.No.44694/2010/G4 dated 04.07.2014 to the first respondent, affirming the contention of the petitioner, thereby, requesting the first respondent to sub-divide the property and to pass appropriate orders. It is the specific grievance of the petitioner that this report was submitted as early as in the year 2014 and the same is kept pending, before the first respondent, without any action and aggrieved thereby, the petitioner is before this Court with the above prayer.

4. The learned Additional Government Pleader, on instructions, submitted that the first respondent shall pass final orders, based on the enquiry report of the second respondent in R.C.No.44694/2010/G4 dated 04.07.2014, within a stipulated time limit.

5. Considering the facts and circumstances of the case, this Court, without going into the merits of the petitioner's claim, directs the first respondent to pass appropriate orders in this issue, on merits and in accordance with law, taking into account the enquiry report of the second respondent in R.C.No.44694/2010/G4 dated 04.07.2014, after affording due opportunity of hearing to the petitioner as well as all the other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary and Commissioner of
Land Administration,
Ezhilagam, Chepauk, Chennai - 600 005.
2. The District Revenue Officer,
Madurai District, Madurai - 625 020.

+ 1 CC TO Mr.S.VISVALINGAM, ADVOCATE IN SR No. 92681
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 93161

GK