



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.23188 of 2017

and

W.M.P(MD)No.19474 of 2017

R.Radhakrishnan

... Petitioner

Vs.

1. The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.
2. The District Collector,
Tirunelveli.
3. The District Revenue Officer,
Tirunelveli.
4. The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.
5. The Thasildar,
Radhapuram Taluk,
Tirunelveli District.

6.Thinakaran

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 4th and 5th Respondents to transfer the patta in favour of the petitioner in S.F.No.964/3 and 964/7 Old S.F.No.240/1 of Tirunelveli District, Radhapuram Taluk, Thisaiyanvilai Village extent of 14 1/2 cent in the light of the proceeding in Na.Ka.A3/120/2014 dated 26.08.2015 on the file of the 5th respondent as followed by the proceeding order in Na.Ka.Aa2/Chee.Ma.No.18/2002 dated 25.05.2006 on the file of the 3rd respondent as followed by the proceeding order in Na.Ka.A2/12009/99 dated 23.05.2001 on the file of the fourth respondent.

For Petitioner

: Mr.M.Laxmi Mahendraa

For Respondents
1 to 5

: Mr.J.Gunaseelan Muthiah,
Government Advocate

O R D E R

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

2. Heard the learned counsel appearing for the petitioner and Mr.J.Gunaseelan Muthiah, learned Government Advocate, who takes notice for the respondents 1 to 5. Notice to the sixth respondent is dispensed with and opportunity of hearing will be provided to him, by the authorities concerned, at the time of hearing.

3. According to the petitioner, the subject mentioned property belongs to him, whereas, in the revenue records, the same stands in the name of the sixth respondent. In order to correct the mistake crept-in, the petitioner has submitted several representations and after some rounds of litigation, the claim of the petitioner was recommended, by the third respondent/District Revenue Officer, with a positive note, to the fifth respondent/Tahsildar. Subsequent thereto, the fifth respondent, after a detailed enquiry, by proceedings dated 26.08.2015, recommended the petitioner's case to the fourth respondent, for transfer of patta, where the same is kept pending, without any action and aggrieved thereby, the petitioner is before this Court.

4. When the matter is taken up for hearing today, the learned Government Advocate, on instructions, submitted that the authority concerned / fourth respondent is inclined to pass appropriate orders, in this subject matter, within a stipulated time limit, in the light of the recommendation of the fifth respondent dated 26.08.2015.

5. Under such circumstances, this writ petition is disposed of, directing the fourth respondent to look into the issue and pass appropriate orders, on merits and in line with the recommendation of the fifth respondent dated 26.08.2015, after affording an opportunity of hearing to the petitioner and the sixth respondent 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. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The Commissioner of Land Administration,

Esplanade, Chempauk,
Chennai - 600 005.



2. The District Collector,
Tirunelveli.

3. The District Revenue Officer,
Tirunelveli.

4. The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

5. The Thasildar,
Radhapuram Taluk,
Tirunelveli District.

+1cc to Mr.M.Laxmi Mahendraa, Advocate Sr.No.93489

+1cc to Spl.Government Pleader Sr.No.93729

GK

VB/JC/SAR1/22/01/2018/3P/8C

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