



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.07.2017**

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WEB COPY

W.P. (MD) No. 4282 of 2017

Vairavan Kovil-Theyyanur Vaguppu,
represented by its Trustee
S.Meenakshi Sundaram

.. Petitioner

-Vs-

1.The District Revenue Officer,
Sivagangai District.

2.The Thasildar,
Karaikudi Taluk,
Sivagangai District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the 1st respondent to dispose the application in respect of the survey No.374, Kanadukathan revenue Village, Chettinad Village Panchayat, Sivagangai District, within the time frame fixed by this court.

For Petitioner : Mr.RM.Arun Swaminathan
for M/s.Chettinad Legal Solutions
For Respondents : Mr.G.Muthukannan
Government Advocate

ORDER

The prayer sought for in this writ petition is to direct the 1st respondent to dispose the application of petitioner submitted in respect of the survey No.374, Kanadukathan Revenue Village, Chettinad Village Panchayat, Sivagangai District, within a time frame.

2.According to the petitioner, the properties situated in survey No.374 at Kanadukathan Revenue Village, Chettinad Village Panchayat, Sivagangai District, has been assigned to by the ancestors of the deponent from the Palayanadu estate on 28.06.1936. Subsequently, Lord Ganesh temple was constructed along with a pond and till date, they are having possession and enjoyment of the property.

3.The only grievance of the petitioner is that under updating records scheme, the lands of the petitioner's Trust was wrongly mentioned as Government Poromboke lands, so immediately, the



petitioner made a representation to the District Collector, Sivagangai on a grievance day and subsequently, sent a representation to the 1st respondent on 15.11.2016. Since, no order has been passed, the present writ petition has been filed.

4. Heard Mr. RM. Arun Swaminathan, learned counsel appearing for the petitioner and Mr. G. Muthukannan, learned Government Advocate appearing for the respondent and perused the materials available on record.

5. Considering the limited scope of the prayer sought for in this writ petition and the submissions made on either side, without going into the merits of the case, this writ petition is disposed of with a direction to the 1st respondent to consider the application/representation of the petitioner, dated 15.11.2016 and pass suitable orders, purely on merits and in accordance with law, after affording opportunity of hearing to the petitioner as well as the necessary parties, if any, within a period of twelve weeks from the date of receipt of the order copy and communicate the decision to the petitioner. No costs.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To,

1. The District Revenue Officer,
Sivagangai District.
2. The Thasildar,
Karaikudi Taluk,
Sivagangai District.

+1 CC to M/s. RM. ARUN SWAMINATHAN, Advocate, SR No. 64719.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 64949.

ER

PSM/MR-KKR/SAR1/20.07.2017/2P/5C

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