



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated: 22.02.2017

Coram

THE HON'BLE MR.JUSTICE M.S.RAMESH

**Writ Petition (MD)No. 3270 of 2013 and
M.P.(MD)No.1 of 2013**

WEB COPY

P.Govindan

... Petitioner

Vs

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram.

3.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

4.The Sub Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

(R3 +R4 amended as per order dated 16/4/13 in MP 2/13)

5.N.Malairajan

6.Thillai Natarajan

7.K.Alagar

8. The District Revenue Officer,
Ramanathapuram.

... Respondents

(R8 Suo motu impleaded

vide court order dated 22/2/17)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to make enquiry on petitioner's representation dated 27.08.2012 and forwarded by the 2nd respondent in her proceedings in O.Mu(A2)/7368/2012, dated 06.09.2012 and consequently, initiate suitable action against the respondents 5, 6 and 7 in accordance with law.

For petitioner

: Mr.M.E.Ilango

For R1 to R4

: Mr.M.Alagathevan

Special Government Pleader

For R5 to R7

: Mr.Y.Prakash

**O R D E R**

The writ petition has been filed for a Writ of Mandamus directing the third respondent to make enquiry on the petitioner's representation dated 27.08.2012 and forwarded by the second respondent in her proceedings in O.Mu(A2)/7368/2012, dated 06.09.2012 and consequently, initiate suitable action against the respondents 5, 6 and 7 in accordance with law.

2. The petitioner, who claims to be the owner of the lands comprised in Survey No.397 in Nariyan Subburayapuram Village, Kamudi Taluk, Ramanathapuram had made an application to the first respondent on 27.08.2012, seeking for issuance of Patta. The petitioner's grievance now is that the respondents 5 to 7 are attempting to encroach his property. The application made to the first respondent seems to have been forwarded to the second respondent and is said to be pending. Though the petitioner has sought for a direction to the third respondent to make an enquiry on his representation, the learned counsel for the petitioner submits that he would be satisfied, if a direction is given to the Revenue Divisional Officer to act upon his application for grant of Patta.

3. Since the petitioner's grievance is for carrying out certain rectifications in the UDR Patta, the authority concerned would be the District Revenue Officer, Ramanathapuram. Hence, it would be appropriate to permit the petitioner to make an application before the District Revenue Officer, Ramanathapuram ventilating his grievances.

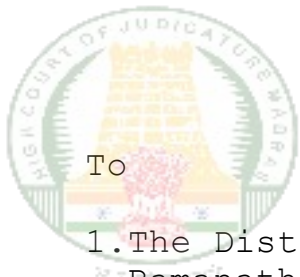
4. The District Revenue Officer, Ramanathapuram is suo motu impleaded as a party respondent.

5. In view of the submissions made by the learned counsel for the petitioner, the petitioner is granted liberty to make a fresh application to the District Revenue Officer, Ramanathapuram and on receipt of the same, the D.R.O., shall consider it on its own merits and after conducting due enquiry, shall pass orders in accordance with law within a period of three months from the date of receipt of a copy of this order. The District Revenue Officer, Ramanathapuram while conducting the enquiry shall give due opportunity of personal hearing to the petitioner as well as the respondents 5 to 7 and after considering their objections, shall pass such orders.

6. With the above observation, the writ petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)



To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram.

3.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

4.The Sub Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

5.The District Revenue Officer,
Ramanathapuram.

+1 CC to M/s. THE SPECIAL GOVERNMENT PLEADER, SR No. 10095

+1 CC to M/s.Y.PRAKASH, Advocate, SR No. 10547

+1 CC to M/s.E.ILANGO, Advocate, SR No. 9920

AKV

PSM/SV-MMS/23.03.2017/3P/9C

Writ Petition (MD)No.3270 of 2013
22.02.2017