



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.16912 of 2018

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S.Karuppaiah

... Petitioner

vs.

1.The Revenue Divisional Officer
Devakottai, Sivagangai District

2.The Tahsildar
Karaikudi Taluk
Sivagangai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent No.1 to complete the enquiry proceedings dated 08.05.2017 in Na.Ka.A3-1357-2017 and cancel the illegal assignment in respect of in Survey Nos.293 to 307 in an extent of 11.77.0 Ars situated at Appalai Village, Nattuseri Group, Karaikudi Taluk, Sivagangai and consequently direct the respondents to provide assignment patta to the real beneficiaries by considering the petitioner's representation dated 21.11.2017 within a stipulated time.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.N.Shanmugaselvam

Additional Government Pleader

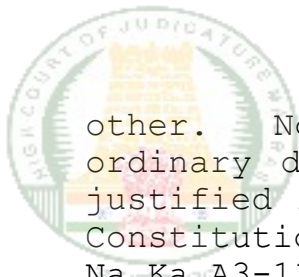
O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents.

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

3. It is the grievance of the petitioner that the proceedings in Na.Ka.A3-1357-2017, on the file of the first respondent, with regard to cancellation of illegal assignment effected in respect of the property comprised in Survey Nos.293 to 307, measuring an extent of 11.77.0 Ars, situated at Appalai Village, Nattuseri Group, Karaikudi Taluk, Sivagangai District, have not been completed till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the proceedings in Na.Ka.A3-1357-2017. It is needless to point out that whenever proceedings of this nature are made, the respondents are duty bound to dispose the same in one way or the



other. Non-disposal of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to dispose the proceedings in Na.Ka.A3-1357-2017.

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5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to dispose the proceedings in Na.Ka.A3-1357-2017, dated 08.05.2017, on its own merits and in accordance with law, as expeditiously as possible. In case, there is any unreasonable delay in disposing the proceedings, the petitioner is granted liberty to file a fresh petition seeking for appropriate relief.

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

Sd/-
Assistant Registrar (WRITS)

/True Copy/

Sub Assistant Registrar (CS-II)

To:

1.The Revenue Divisional Officer,
Devakottai, Sivagangai District.

2.The Tahsildar,
Karaikudi Taluk,
Sivagangai.

+1cc TO Mr.Thirumurugan Advocate in SR.No.75841.

KRK

DS RSK SAR-3 :31.08.2018: 2P/4C

W.P.(MD) No.16912 of 2018
31.07.2018