



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P. (MD)No.18267 of 2019

Maruthupandian

... Petitioner

-Vs-

1.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

2.The Tahsildar,
Thiruchuli,
Virudhunagar District.

3.The Village Administrative Officer,
Mithalaikulam Village,
Thiruchuli Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to dispose of the second respondent's proceedings in Na.Ka.No.1778/2010, dated 17.07.2012 within a time frame fixed by this Court.

For Petitioner : Mr.C.Sureshkannan

For Respondents : Mr.V.Anand

Government Advocate

ORDER

The prayer sought for in this writ petition is that, to direct the first respondent to dispose of the second respondent's proceedings in Na.Ka.No.1778/2010, dated 17.07.2012, within a time frame.

2.Heard Mr.C.Sureshkannan, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents.

3.In respect of the land at Survey No.44/5A to the extent of 1 acre 17 cents, the petitioner had given a representation to the first respondent on 09.05.2010 on the alleged reason that under UDR patta, the petitioner's land had been given patta to various individuals unconnected with the land in question and in order to rectify the same, the said representation was given to the first respondent by way of appeal. Having considered the same, it seems



that, the first respondent directed the second respondent/Tahsildar to enquire and send report to that effect.

5.Pursuant to the directive issued by the first respondent, the second respondent, after having conducted the enquiry, has sent a detailed report as early as on 17.07.2012 and the copy of the same has also been filed by the petitioner before this Court in the typed set of papers, where in Na.Ka.No.1778/2010, dated 17.07.2012, the second respondent/Tahsildar has sent a report to the first respondent. Despite the report having been sent by the second respondent to the first respondent with the copy marked to the petitioner in the year 2012, according to the learned counsel for the petitioner, sofar no order has been passed by the first respondent in this regard. Therefore, the petitioner is before this Court.

6.I have heard Mr.V.Anand, learned Government Advocate appearing for the respondents, who would submit that, if enquiry is already completed by the second respondent and the report has already been submitted vide his proceedings, dated 17.07.2012, based on which, if the order has sofar not been passed by the first respondent, certainly, final order would be passed by the first respondent, within a shortest time to be stipulated by this Court.

7.Having regard to the said submissions made by both sides and taking into consideration of the factual matrix of this case, this Court is inclined to dispose of this writ petition with the following directions:-

"that the first respondent is hereby directed to pass order on the application/representation made by the petitioner, dated 09.05.2010 in the light of the report submitted by the second respondent in Na.Ka.No.1778/2010, dated 17.07.2012 and pass final order thereon, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that, in the meanwhile, if already order has been passed by the first respondent, now a copy of the same, shall be forwarded to the petitioner, forthwith."

8.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)



To

1.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

2.The Tahsildar,
Thiruchuli, Virudhunagar District.

3.The Village Administrative Officer,
Mithalaikulam Village,
Thiruchuli Taluk,
Virudhunagar District.

+1 CC to Mr.C. SURESH KANNAN, Advocate SR-83018.

+1 CC to SPL GP SR-83317.

W.P. (MD) No.18267 of 2019
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CS(10.09.2019) 3P 6C