



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2019

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.8840 of 2016 and
WMP(MD).Nos.7037 to 7039 of 2016

Sundararrajan

.. Petitioner

Vs.

1.The District Revenue Officer,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.

3.The Sub Registrar,
No.2, Velipattinam Sub Registrar Office,
Ramanathapuram District.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the impugned order passed by the 3rd respondent in his proceedings Tha.Va. Petition No.11/2016, dated 26.02.2016 and quash the same.

For Petitioner : Mr. Meenakshisundaram

for Mr.K. Seemaraj

For respondents : Mr.M. Murugan

Government Advocate

O R D E R

Heard the learned counsel appearing on either side.

2. The Writ Petitioner claims ownership over the property that is the subject matter of this Writ Petition. His grievance is that during the UDR Survey, the records were erroneously changed. He has since filed an appeal before the District Revenue Officer, Ramanathapuram. His apprehension is that during the pendency of the said appeal, the property may be unlawfully alienated by the persons, whose names are reflected in revenue records. He, therefore, submitted an objection petition before the third respondent. But, the third respondent returned the petitioner's



objection petition directing the petitioner to move the civil Court for the relief.

3. I am of the view that the order impugned in the Writ Petition, does not warrant interference. However, relief can be given directing the first respondent to dispose of the appeal pending before him in this regard. It is seen that even though the petitioner's appeal is undated, the first respondent had issued an enquiry notice in Na.Ka.P6 69905 of 2015, dated 12.02.2016. The petitioner counsel states that till date the said appeal is pending without any progress and therefore, the first respondent is directed to dispose of the appeal on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is made clear that the first respondent will have to hear all the interested parties before passing final orders.

4. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

Sub Assistant Registrar (CS II)

To

1.The District Revenue Officer,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.

3.The Sub Registrar,
No.2, Velipattinam Sub Registrar Office,
Ramanathapuram District.

+1 CC to M/s.K.SEEMARAJ, Advocate (SR-52728[F] dated 08/03/2019)
+1 CC to M/s.SPL GP (SR-53102[F] dated 11/03/2019)

W.P.(MD)No.8840 of 2016 and
WMP(MD).Nos.7037 to 7039 of 2016
08.03.2019

DS/ /SAR- (12.03.2019) 2P 6C