



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD) No.19587 of 2019

and

W.M.P (MD) Nos.16052 & 16054 of 2019

Pasumpon Thiru Muthuramalinga Thevar
Memorial College,
Rep. by the Principal V.Arunachalam,
Pasumpon,
Kottaimedu Post,
Kamudhi,
Ramanathapuram District.

... Petitioner

vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Revenue Officer,
O/o.District Revenue Officer,
Collector Office Campus,
Ramanathapuram District,
Ramanathapuram.
- 3.The Sub-Collector / Revenue Divisional Officer,
Paramakudy Revenue Division,
Paramakudy,
Ramanathapuram District.
- 4.The Tahsildar,
Kamudhi Taluk Office,
Kamudhi Taluk,
Ramanathapuram District.
- 5.S.Paramasivam
- 6.A.Kottaisamy
- 7.Chandra
- 8.Rajan
- 9.Theivakurinji
- 10.Umaiyaar Velayutham
- 11.Ramaiyah
- 12.Mahendran



13.Prabhakaran
14.Vadivelan
15.Muthaiyathevar
16.Kodi Saravanan
17.Madhan Karthik
18.Muniyandi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent to complete the patta proceedings in Na.Ka.Bi.5/74/2018 within a time frame fixed by this Court.

For Petitioner : Mr.K.Neelamegam

For RR 1 to 4 : Mr.B.Bhagawathi,
Government Advocate.

ORDER

Mr.K.Neelamegam, learned counsel on record for writ petitioner and Mr.B.Bhagawathi, learned Government Advocate on behalf of respondents 1 to 4 (official respondents) are before this Court.

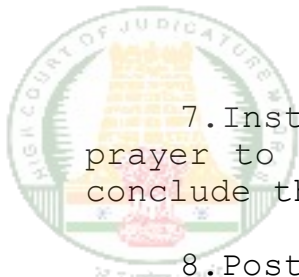
2.From a perusal of the case file and nature of submissions made before this Court, it comes to light that this Writ Petition can be disposed of by passing an order which does not adversely affect or impact the rights of private respondents 5 to 18. Besides not being adverse to the rights of private respondents 5 to 18, adequate safeguard / safety valve is put in place and the same is alluded to infra elsewhere in this order.

3.In the aforesaid background, with consent of learned counsel for writ petitioner and State counsel, main writ petition is taken up, heard out and is being disposed of.

4.The nucleus of this Writ Petition is land admeasuring about 2 acres 70 cents or thereabouts comprised in Survey No.70/3, Thavasikurichi Village, Kamudhi Taluk, Ramanathapuram District (hereinafter referred to as 'said land' for brevity).

5.The rival contentions centre around revenue records and revenue entries qua said land in a tussle between writ petitioner and private respondents 5 to 18.

6.Private respondents 5 to 18 have moved the second respondent ie., jurisdictional 'District Revenue Officer' (hereditary 'DRO' for brevity) and DRO has issued a hearing notice signed on 15.07.2019 bearing Reference No.Na.Ka.No.74/2018 fixing the enquiry on 26.07.2019 at half past 10.00 in the forenoon.



7.Instant Writ Petition has been filed on 06.09.2019 with a prayer to expedite the proceedings before the second respondent and conclude the same at the earliest.

8.Post filing of the instant Writ Petition, ie., pending Writ Petition, it is submitted without disputation or disagreement that the second respondent has passed an interim order on 16.09.2019 and that the same is now operating. It is also submitted without any disputation or disagreement that next hearing before the second respondent is scheduled to be held on 18.10.2019.

9.In these circumstances, learned counsel for writ petitioner submits that it will suffice if there is a direction to the second respondent ie., DRO to dispose of and conclude the aforesaid proceedings as expeditiously as possible.

10.With regard to safeguarding the interest of private respondents 5 to 18, it is made clear that private respondents 5 to 18 shall be given reasonable opportunity before the proceedings are concluded. In any event, to be noted, the proceedings itself are at the instance of private respondents 5 to 18.

11.In the aforesaid backdrop, instant Writ Petition is disposed of with a direction to the second respondent to continue and conclude the aforesaid proceedings pertaining to said land as expeditiously as possible and in any event, within a period of four weeks from 18.10.2019 in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

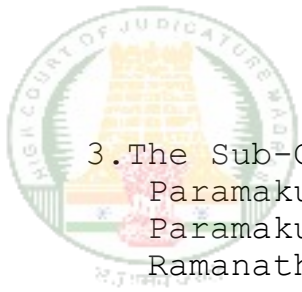
Assistant Registrar (CO)

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Sub Assistant Registrar (CS)

To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Revenue Officer,
O/o.District Revenue Officer,
Collector Office Campus,
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Ramanathapuram.



3.The Sub-Collector / Revenue Divisional Officer,
Paramakudy Revenue Division,
Paramakudy,
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4.The Tahsildar,
Kamudhi Taluk Office,
Kamudhi Taluk,
Ramanathapuram District.

+1 CC to M/s.N.NEELAMEGAM, Advocate (SR-87213[F] dated 17/09/2019)

+1 CC to M/s.SPL GP (SR-87564[F] dated 18/09/2019)

W.P (MD) No.19587 of 2019
17.09.2019

ps

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