



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.11.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M. SUNDAR**

W.P(MD)No.25193 of 2019

WEB COPY

P.Ramachandran

... Petitioner

/Vs./

1.The District Collector,
O/o.District Collector Office,
Virudhunagar District.

2.The District Revenue Officer,
O/o.District Revenue Office,
Virudhunagar District.

3.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Aruppukottai, Virudhunagar District.

4.The Tahsildar,
Kariapatti,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents No.1 to 3 to direct the 4th respondent to delete the wrong entries made in the petitioner's Patta No.96 based on the petitioner's representation dated 25/03/2019 within the stipulated time frame fixed by this Court.

For Petitioner : Mr.R.Ganesh Prabu

For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

Mr.R.Ganesh Prabu, learned counsel on record for writ petitioner is before this Court.

2. Mr.B.Bhagawathi, learned Government Advocate, accepts notice on behalf of all four respondents.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 25.03.2019 wherein writ petitioner has made a complaint that error has occurred in revenue classification of



land which according to writ petitioner belongs to him.

5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the second respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 25.03.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 25.03.2019 made by the writ petitioner (page No.43 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 25.03.2019 shall be disposed of by the second respondent on its own merits and in accordance with law, more particularly, in accordance with paragraph No.5 of G.O.Ms.No.385 dated 17.08.2004 as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the representation being considered by the second respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the second respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. The authority concerned ie., second respondent shall not embark upon any exercise which is within the domain of civil Court jurisdiction. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

9. The proceeding / order of disposal shall be communicated by the second respondent to the writ petitioner and others concerned if any under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)



To

1.The District Collector,
O/o.District Collector Office,
Virudhunagar District.

2.The District Revenue Officer,
O/o.District Revenue Office,
Virudhunagar District.

3.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Aruppukottai, Virudhunagar District.

4.The Tahsildar,
Karipatti,
Virudhunagar District.

+1 CC to MR.S. VANCHINATHAN, Advocate (SR-101748[F] dated
27/11/2019)

+1 CC to M/S.SPL GP (SR-102367[F] dated 28/11/2019)

Order made in
W.P (MD) No.25193 of 2019

Dated:
27.11.2019

_KM/ (26.12.2019) 3P 7C