

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

WP.No.13721 of 2020

K. Thirumalai

... Petitioner

Vs.

1. The District Collector,
Kallakurichi District.

2. The Revenue Divisional Officer,
Kallakurichi.

3. The Thasildar,
Chinnasalam Taluk,
Kallakurichi District.

4. Mr. Sekar

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus to direct the 3rd respondent to dispose of the patta transfer proceedings in O.Mu.A4/242/2020 forwarded by 2nd respondent dated 6.2.2020 and further direct the 1st to 3rd respondents to issue patta in favour of the petitioner family in accordance with law .

For Petitioner : Mr. S. Ramajayam

For Respondents: Mr. Annai Ezhil, Govt. Advocate

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the 3rd respondent to dispose of the proceedings forwarded by the 2nd respondent on 6.2.2020 within the time frame fixed by this Court.

2. The case of the petitioner is that the subject property originally belonged to the father of the petitioner and the patta also stood in his name in patta No.541. The further case of the petitioner is that the 4th respondent managed to include his name in the Revenue Records. The father of the petitioner filed a suit in O.S.No.54 of 2006 praying for the relief of declaration and permanent injunction as against the 4th respondent and three others. The suit was decreed by a judgment and decree dated

5.7.2010 passed by the III Addl. District Munsif Court, Kallakurichi. The said decree was also subsequently upheld in A.S.No.69 of 2010.

3. The petitioner made a representation to the respondent seeking for patta in his name. A representation was made before the 2nd respondent. The 3rd respondent also had sent a report to the 2nd respondent by a letter dated 24.1.2020. Further, the 2nd respondent by his letter dated 6.2.2020, informed the 3rd respondent that the 3rd respondent himself can pass orders and hence the entire files were sent to the 3rd respondent. The grievance of the petitioner is that thereafter there has been no progress and no orders were passed by the 3rd respondent. Aggrieved by the same, the present writ petition has been filed before this Court.

4. Heard Mr.S.Ramajayam, learned counsel for the petitioner and Mr. Annai Ezhil, learned Govt. Advocate appearing for the respondents.

5. Taking into consideration the facts and circumstances of the case and also the fact that the 3rd respondent has also enquired and made a report ready, there shall be a direction to the 3rd respondent to pass final orders strictly in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Kallakurichi District.
2. The Revenue Divisional Officer,
Kallakurichi.
3. The Thasildar,
Chinnasalam Taluk,
Kallakurichi District.

+1 cc to Mr.S.Ramajayam, Advocate,sr.32223
+1 cc to Government Pleader,sr.32162.

Nr(co)
krd 3/11

WP.No.13721 of 2020