



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

W.P. (MD)No.14413 of 2020

K.Mayan

... Petitioner

-vs-

1.The District Revenue Officer,
Sivagangai Revenue District,
Sivagangai.

2.Pitchaimani

3.Sangu

4.Ramaiah

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the first respondent to dispose the appeal filed by the petitioner in Na.Ka.No.B4/7687/17, within a specified time as may be fixed by this Court.

For Petitioner

: Mr.A.Mohan

For Respondent 1

: Mr.K.P.Krishnadoss

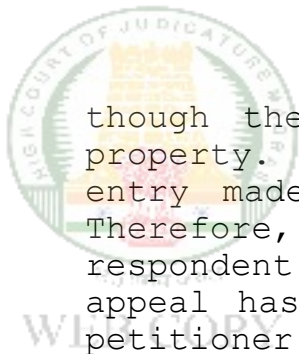
Special Government Pleader

ORDER

This writ petition is filed seeking issuance of a Writ of Mandamus to direct the first respondent to dispose the appeal filed by the petitioner in Na.Ka.No.B4/7687/17, within a specified time.

2.Heard the learned Counsel appearing for the petitioner and Mr.K.P.Krishnadoss, learned Special Government Pleader, who took notice for the first respondent. Since this Court is not going to pass any adverse orders against the respondents 2 to 4, notice to the respondents 2 to 4 is dispensed with.

3.The learned Counsel appearing for the petitioner submitted that the petitioner is having ancestral property measuring to an extent of 33.50 ares, 1.35.50 ares and 33.50 ares in S.Nos.155/3B2, 155/6 and 155/4 respectively situate in Purasadi Udaippu Village, Kalaiyarkovil Taluk, Sivagangai District and for which, a settlement patta has been issued in the name of the petitioner's father and 11 others. It is further submitted that the petitioner's ancestors have effected oral partition among themselves and as per the oral partition, the petitioner is entitled to the subject matter of the property by inheritance. While so, the names of the respondents 2 to 4 have been wrongly entered in the patta during UDR scheme,



though they are in no way connected with the subject matter of property. The respondents 2 to 4, by taking advantage of the wrong entry made in the patta, are giving trouble to the petitioner. Therefore, the petitioner filed an appeal before the first respondent to set aside the wrong entries made in the patta and the appeal has been taken on file in Na.Ka.No.B4/7687/17 by which the petitioner and the respondents 2 to 4 were directed to appear before the first respondent on 08.05.2019 along with necessary documents. Though the petitioner and the respondents 2 to 4 have appeared before the first respondent, the first respondent has not disposed of the appeal so far. Therefore, the petitioner has come forward with the present Writ Petition.

4.Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the first respondent submitted that the enquiry was conducted on several occasions but during the last two hearings, none of the parties concerned has appeared and the petitioner has approached this Court without attending the enquiry in full-fledged manner.

5.Considering the facts and circumstances of the case, the first respondent is directed to take a decision and dispose of the appeal after hearing all the parties including the petitioner and respondents 2 to 4 within a period of four months from the date of receipt of a copy of this order and in any event, preferably on or before 31st March, 2021. The parties are expected to cooperate for the enquiry with the first respondent to arrive at a decision.

6.With the above directions, the writ petition, is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM
To

The District Revenue Officer,
Sivagangai Revenue District, Sivagangai.

+1 CC to SGP (SR-20479[F] dated 16/10/2020)

W.P (MD) No.14413 of 2020

15.10.2020

NR (11/11/2020) 2P : 3C

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