



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.11.2020

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P. (MD)No.16513 of 2020

G.Arumugam

... Petitioner

Vs.

1.The Commissioner of Land Administration,
Department of Land Administration,
Ezhilagam, Chepauk,
Chennai.

2.The District Revenue Officer,
Dindigul District,
Dindigul.

3. The Revenue Divisional Officer,
Palani Revenue Division, Palani,
Dindigul District.

4.The Tahsildar,
Palani Taluk,
Dindigul District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the second respondent to dispose the appeal filed by the petitioner's mother dated 05.06.2015 for UDR correction in Survey No.83/3A2, Muthunayakampatty Village, Palani Taluk, Dindigul District, which is pending on the file of the second respondent in Na.Ka.No.25555/2017/B6 within a time frame.

For Petitioner : Mr.Raja Karthikeyan
For Respondents : Mr.K.P.Krishnadass
Special Government Pleader

ORDER

The petitioner has come forward with this Writ Petition, seeking a direction to the second respondent to dispose the appeal filed by the petitioner's mother dated 05.06.2015 for UDR correction in Survey No.83/3A2, Muthunayakampatty Village, Palani Taluk, Dindigul District, which is pending on the file of the second respondent in Na.Ka.No.25555/2017/B6 within a time frame.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



3. Heard the learned counsel for the petitioner as well as Mr.K.P.Krishnadass, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. The case of the petitioner is that the petitioner has applied for patta for the property in question based on the Settlement Land Records(SLR), Registered Partition Deed between the petitioner's grandfather and maternal two uncles in Document No.1480/1965 dated 21.06.1965 and Registered Will document No.35 of 1968 dated 21.05.1968 on the file of the Keeranur SRO, Palani Taluk. But without any document, one Solaimuthu, S/o.Mahalingam claimed right over the landed property based on the land document purchased by his grandfather vide Document No.72 of 1953 in Survey No.82 at Muthunayakanpatti Village from one Karuppanan to a total extent of 5.64 acres, which was wrongly stated as S.No.83 instead of S.No.82. In this regard, the petitioner's mother filed an appeal before the second respondent dated 05.06.2015. Consequently, the second respondent forwarded the appeal papers to the third respondent vide Na.Ka.No.25555/2017/B6 dated 02.11.2017. The third respondent had conducted enquiry and further issued summons vide Na.Ka.No.9360/2017/A1 dated 13.01.2020 and 06.08.2020 respectively. During pendency of the appeal, the petitioner's mother died and the petitioner is now 60 years old. However, the said appeal has not been disposed of so far. In such circumstances, the petitioner has approached this Court.

5. Learned Special Government Pleader appearing for the respondents would submit that the third respondent has already passed an order on 23.11.2020 in this regard and he has also produced a copy of the said proceedings dated 23.11.2020 in Na.Ka.No.9360/2017/A1, before this Court.

6. In view of the above, if the petitioner is aggrieved by the said proceedings, dated 23.11.2020, he is at liberty to agitate the same before the appropriate forum.

7. This writ petition is disposed of with the above direction. No Costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Commissioner of Land Administration,
Department of Land Administration,
Ezhilagam, Chepauk,
Chennai.

2.The District Revenue Officer,
Dindigul District,
Dindigul.

3. The Revenue Divisional Officer,
Palani Revenue Division, Palani,
Dindigul District.

4.The Tahsildar,
Palani Taluk,
Dindigul District.

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TP(CO)
KM (22.12.2020) 3P 5C