



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.16567 of 2020

WEB COPY

Kanagarasu

... Petitioner

-vs-

The Tahsildar,
Musiri Taluk,
Musiri,
Trichy District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing respondent to dispose his proceedings in Na.Ka.No.781/2017, dated 17.12.2019 which is pending before the respondent within the time frame fixed by this Court.

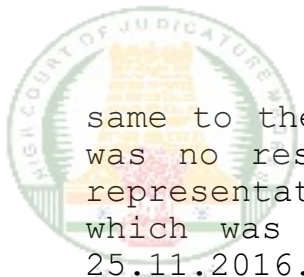
For Petitioner : Mr.T.Vadivelan
For Respondent : Mr.M.Muniya Samy
Additional Government Pleader

O R D E R

This petition has been filed, seeking issuance of a Writ of Mandamus, directing the respondent to dispose of the proceedings in Na.Ka.No.781/2017, dated 17.12.2019 which is pending before the respondent within the time frame fixed by this Court.

2.Heard the learned Counsel appearing for the petitioner and Mr.M.Muniya Samy, learned Additional Government Pleader, who took notice for the respondent. By consent, the Writ Petition is disposed of at the admission stage itself.

3.The learned Counsel appearing for the petitioner would submit that the property measuring to an extent of 1 acre 37 cents in S.F.No.506 situated in Poolancheri Village, Musiri Taluk, Trichy District belong to the grandfather of the petitioner by name Adaikan Muthuraja and his brother by name Mookan Muthuraja. The petitioner's grandfather had executed a settlement deed in favour of the petitioner in respect of his share ie., 66 cents after making partition. Therefore, the said Mookan Muthuraja made an application on 15.10.2012 before the respondent for subdivision of the said property and based on the said application, the revenue officials made subdivision without prior information to the petitioner. Hence, the petitioner made an application seeking rectification of the mistake and for issuance of patta in favour of the petitioner before the District Collector, Trichy, who in turn forwarded the



same to the respondent vide proceedings dated 01.06.2019. As there was no response from the respondent, the petitioner made another representation to the District Collector, Trichy, on 12.09.2016 which was also forwarded to the respondent vide proceeding dated 25.11.2016. Thereafter, the respondent issued an enquiry notice to the petitioner vide proceedings dated 17.12.2019 calling upon the petitioner to produce all the relevant documents. Though the petitioner had appeared before the respondent and produced all the relevant documents, no order has been passed by the respondent so far. Hence, the petitioner has come forward with the present Writ Petition.

4.Learned counsel for the petitioner would submit that it would suffice, if a direction is given to the respondent to dispose of the proceedings dated 17.12.2019 at the earliest.

5.In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondent to dispose of the proceedings in Na.Ka.No.781/2017, dated 17.12.2019 by passing appropriate orders thereon in accordance with law, after hearing necessary parties, within a period of 90 days from the date of receipt of a copy of this order, if there is no legal impediment to do so.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (A.E)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

To:

The Tahsildar,
Musiri Taluk,
Musiri,
Trichy District.

+1 CC to the SPL GP (SR-22935[F] dated 26/11/2020)

W.P. (MD) No.16567 of 2020
24.11.2020

PV(CO)
CS(23.12.2020) 2P 3C