



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.12.2020
CORAM
THE HON'BLE MR.JUSTICE **S.VAIDYANATHAN**

W.P. (MD) No.18606 of 2020

WEB COPY

Somasundaram Elementary School,
Rep. by it's Secretary,
S.Swaminathan,
S/o.Sivanesan,
Pathrakaliyamman Kovil Street,
Sayalkudi,
Kadaladi Taluk,
Ramanathapuram District.

... Petitioner

-Vs-

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Sub Collector/Revenue Divisional Officer,
O/o. the Sub Collector Office,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
O/o the Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

4.P.Markandan

... Respondents

Prayer: Writ Petitions are filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondent No.2 to complete the enquiry proceedings in Na.Ka.No.A3/7526/2018, dated 13.08.2018 and in Na.Ka.No.A3/7526/2018, dated 21.01.2019 and consequently, direct the respondent No.2 to cancel the wrong entry of respondent No.4 name in village account in respect of the petitioner's school property in Survey No.202/1A1A in Patta No.1453 situated at Sayalkudi Town Panchayats, Ramanathapuram District by considering the petitioner's representation dated 22.04.2019 within the stipulated time.

For Petitioner	: Mr.T.Thirumurugan
For Respondents	: Mr.P.Kannithevan
	Additional Government Pleader.



ORDER

The petitioner has come forward with the Writ Petition seeking issuance of a Writ of Mandamus directing the second respondent to complete the enquiry proceedings initiated vide Na.Ka.No.A3/7526/2018, dated 13.08.2018 and in Na.Ka.No.A3/7526/2018, dated 21.01.2019 and consequently, direct the second respondent to cancel the wrong entry of the fourth respondent's name in village account in respect of the petitioner's school property in Survey No.202/1A1A in Patta No.1453 situated at Sayalkudi Town Panchayats, Ramanathapuram District by considering the petitioner's representation dated 22.04.2019 within the stipulated time.

2.Heard the learned Counsel appearing for the petitioner and Mr.P.Kannithevan, learned Additional Government Pleader, who took notice for the respondents 1 to 3. Since this Court is not going to pass any adverse order against the fourth respondent, notice to him is dispensed with.

3.The learned Counsel appearing for the petitioner would submit that the property in Survey No.202/1A1A situated at Sayalkudi Town Panchayats, Ramanathapuram District belongs to the petitioner School viz., Somasuntharam Government Primary School which is being run for the past 75 years. While so, the fourth respondent, who is totally a stranger to the said property, had created forged document and obtained Tax Receipt bearing No.3285 on 17.05.2018 and his name was also included in the village revenue record by the Village Administrative Officer on 25.06.2018. Therefore the petitioner made a representation on 09.08.2018 to the second respondent to cancel the wrong entry in the revenue records in respect of the petitioner's school property bearing Survey No.202/1A1A. Considering the same, the second respondent vide proceedings dated 13.08.2018 and 21.01.2019 in Na.Ka.Nos.A3/7526/2018 had conducted enquiry and the petitioner produced all the relevant documents. Further, the third respondent vide proceedings dated 15.07.2020 had called the petitioner and the fourth respondent for an enquiry and the petitioner had appeared before him and produced all documents, however, no further order has been passed. Hence, the petitioner has come forward with the present Writ Petition.

4.Learned counsel for the petitioner would submit that it would suffice, if the second respondent is directed to complete the proceedings initiated vide Na.Ka.Nos.A3/7526/2018, 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 second respondent to complete the proceedings initiated in Na.Ka.Nos.A3/7526/2018 and pass appropriate orders thereon in accordance with law within a period of 60 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.

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Sd/-

Assistant Registrar (AS)

// True Copy //

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Sub Assistant Registrar (CS)

To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Sub Collector/Revenue Divisional Officer,
O/o. the Sub Collector Office,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
O/o the Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

+1 CC to Mr.T.Thirumurugan, Advocate (SR-25951[F] dated
17/12/2020)

Order made in
W.P. (MD) No.18606 of 2020
17.12.2020

(CO)

kv(04.02.2021) 3P 5C