



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2021

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THE HONOURABLE MR.JUSTICE **V. PARTHIBAN**

W.P.(MD)No.1089 of 2021

Adimai

: Petitioner

WEB COPY

Vs.

The Revenue Divisional Officer/ Sub Collector,
Paramakudi, Ramanathapuram District.

: Respondent

PRAYER :- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondent to take necessary action on the basis of the petitioner's complaint in Na.Ka.P1/9584/17 dated 05.12.2017 within a time frame fixed by this Court.

For Petitioner

:Mr.D.Anbarasu

For Respondent

:Mr.M.Karuppasamy

Government Advocate

ORDER

According to the petitioner, he has been residing in the address mentioned in the cause title and occupying the property to an extent of 8 acres 25 cents. The property being purchased by way of a sale agreement by his forefathers, being legal heirs, the property has been jointly enjoyed from 1987 onwards and subsequently, the property was sub divided under the UDR scheme. According to the petitioner, some unknown persons' names were entered into Chitta and Adangal after the UDR scheme.

2.In order to prevent any bogus claim to the title to the property, the petitioner claims to have submitted a representation before the respondents for issuing separate patta and removing the illegal persons' names in the Chitta and Adangal and also to cancel the sub division made illegally. According to the averments made in the affidavit, the respondents issued summons to the petitioner and other parties concerned to conduct an enquiry and the enquiry is pending and no final order has been passed. Therefore, he is before this Court for issuing Writ of Mandamus.

3.The affidavit filed in support of this Writ Petition, is completely bereft of details, as to the date of summons issued by the respondents, when the enquiry was conducted and what is the stage of the enquiry. More over, the names of the persons, who were included in the Chitta and Adangal, how the sub division was illegal and who are responsible for the sub division and all such crucial information are completely absent in the affidavit. The affidavit is completely bald and untenable and cannot be the basis of



entertaining the Writ Petition.

4.This Court is astonished, as to how the affidavit can be drafted so casually and carelessly and without disclosing any specific details, as to the basis of the petitioner's claim for seeking direction from this Court. It appears that the Writ Petition has been filed without taking a minimum care to provide the basic details in support of the claim and Writ Petition has been drafted so irresponsibly, which has to be rejected outright by this Court.

5.This Court was though inclined to impose exemplary cost for such cavalier way of drafting the affidavit by the legal practitioner, taking into consideration the extraordinary crisis faced by the legal fraternity during pandemic time, the Writ Petition is dismissed without imposing any costs.

Sd/-

Assistant Registrar (RTI Act)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

The Revenue Divisional Officer/ Sub Collector,
Paramakudi, Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-2171[F] dated 27/01/2021)

W.P. (MD)No.1089 of 2021
25.01.2021

MJ(CO)

KB(12.02.2021) 2P 3C