



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.A. (MD)No.458 of 2021

and CMP(MD) Nos.1897, 1899 & 1900 of 2021

Against WP(MD) . No.18209 of 2020

Mohamed Ali

:Appellant/Petitioner

Vs.

1.The State of Tamil Nadu

Rep. by its Secretary to the Government
Revenue Department
Secretariat,
St. George Fort,
Chennai. 600 009.

2.The Commissioner of Land Survey

PWD Estate,
Chepauk, Triplicane
Chennai. 600 005.

3.The District Collector,

Thoothukudi District
Thoothukudi.

4.The Assistant Director of Survey and Land Records,

Collectorate,
Thoothukudi
Thoothukudi District.

5.The Tahsildar

Srivaikundam
Thoothukudi District.

6.Muthuramalingam

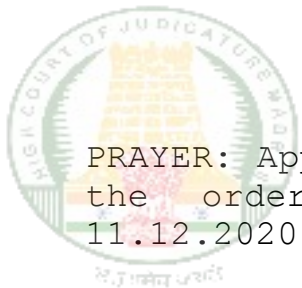
7.The Sub Registrar,

Srivaikundam SRO Office,
Srivaikundam
Thoothukudi District.

8.The Assistant Engineer,

TANGEDCO Srivaikundam
Thoothukudi District.

: Respondents



PRAYER: Appeal filed under Clause 15 of the Letters Patent against the order of this Court in W.P.(MD) No.18209/2020 dated 11.12.2020.

Prayer in WP(MD). 18209 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of certiorarified mandamus or any other appropriate writ or order or direction in the nature of a writ calling for the entire records pertaining to impugned notice issued by the 5th respondent in Na.Ka.A9/3624/2020 dated 19.09.2020 and quash the same as illegal

For Appellant : Mr.P.M.Vishnuvarthanan
For Respondent : Mrs.J.Padmavathi Devi
Special Government Pleader

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

The appellant writ petitioner has come forward to challenge the order of the respondent No.5 before the learned single Judge, by which, he was asked not to precipitate the issue further pending a full-fledged enquiry. The learned single Judge, after taking note of the order impugned and the appellant, having approached the Hon'ble Supreme Court, directed the said authority to conclude it within a reasonable time.

2.The learned counsel for the appellant submitted that it is not factually correct to state that the lands are public lands and they actually belong to the appellant. We cannot go into the said issue. The impugned order passed by the Tahsildar itself is interim in nature. The said order has been passed after conducting a full-fledged enquiry. Even, as against that, the appellant has filed an appeal and the learned single Judge directed the Sub Collector to dispose of the same within a reasonable time.

3. In view of the above, we do not find any reason to interfere with either the order impugned or the order passed by the learned Judge. However, the direction of the learned Judge is only for the disposal of the appeal filed by the appellant and the impugned order being interim in nature, we direct the respondent No.5 Tahsildar to see that the proceedings are concluded within eight weeks from the date of receipt of a copy of this judgment.



4. The writ appeal stands disposed of accordingly. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

To

1.The Secretary to the Government
Revenue Department
Secretariat, St. George Fort,
Chennai. 600 009.

2.The Commissioner of Land Survey
PWD Estate, Chepauk, Triplicane
Chennai. 600 005.

3.The District Collector,
Thoothukudi District Thoothukudi.

4.The Assistant Director of Survey and Land Records,
Collectorate, Thoothukudi, Thoothukudi District.

5.The Tahsildar, Srivaikundam
Thoothukudi District.

6.The Sub Registrar,
Srivaikundam SRO Office,
Srivaikundam, Thoothukudi District.

7.The Assistant Engineer,
TANGEDCO Srivaikundam
Thoothukudi District.

+1 CC to M/s.SPL GP (SR-8208[F] dated 02/03/2021)

Order made in
W.A. (MD) No.458 of 2021
01.03.2021

KG (CO)

TR(09.03.2021) 3P 9C