



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.7532 of 2021
(Through Video Conference)

WEB COPY

M.Ayyappan

...Petitioner

Vs.

1. The District Collector,
O/o the District Collector,
Theni District.

2. The Revenue Divisional Officer,
O/o the Revenue Divisional Officer,
Periyakulam Taluk,
Theni District.

3. The Tahsildhar,
O/o the Tahsildhar,
Andipatti,
Theni District.

4. Gunasekar

5. T.S.A.S.Adimulam

6. Jaya Sri

7. Ayyappan

8. Tamil Selvan

9. Gandhimathi

10. Dhanapakkiyam

11. Karuppa Thevar

12. Muthu Raman

13. Mangal Krishnaganath

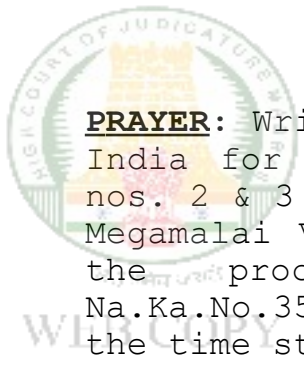
14. Mohamed Abdul Kadher

15. Syed Mohamed

16. Jeyasudhasan Kennady

17. Murugan

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent nos. 2 & 3 to cancel the sub divide made in Survey No.14 situated at Megamalai Village, Andipatti Taluk, Theni District in the light of the proceedings passed by the respondent No.1 in Na.Ka.No.3500/2020/A1 dated 10.02.2020 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.M.Maharaja

For Respondents : Mr.D.Muruganantham,
Additional Government Pleader
RR1 TO 3

O R D E R

This writ petition has been filed for the issue of Writ of Mandamus, directing the second respondent to conclude the proceedings initiated through Na.Ka.No.3500/2020/A1, dated 10.02.2020 within the time limit fixed by this Court.

2. The case of the petitioner is that the third respondent had subdivided the property in Survey No.14 and created a sub division as Survey No.14/2 and the property of the petitioner was also added in this sub-divided survey number. The grievance of the petitioner is that, this process was done without notice to the petitioner. Aggrieved by the same, the petitioner filed an appeal before the second respondent. Even though the second respondent called the parties for an enquiry, there was no progress in the enquiry and left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.M.Maharaja, learned counsel for the petitioner and and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to proceed further with the enquiry, after affording opportunity to the petitioner and the respondent nos.4 to 17 and pass final orders, strictly in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.



6. The writ petition is disposed of with the above directions. However, there shall be no order as to costs.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

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 District Collector,
O/o the District Collector,
Theni District.
2. The Revenue Divisional Officer,
O/o the Revenue Divisional Officer,
Periyakulam Taluk,
Theni District.
3. The Tahsildhar,
O/o the Tahsildhar,
Andipatti,
Theni District.

+1 CC to M/s.SPL GP (SR-15610[F] dated 09/04/2021)

Order made in
W.P. (MD) No.7532 of 2021
Dated:07.04.2021

JA(07.05.2021) 3P 4C