



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .Nos.10898 of 2021

WEB COPY

- 1.Saminathan
- 2.Vimala
- 3.Vasanth
- 4.Amaravathy
- 5.Govindarasu
- 6.Elangovan
- 7.Ravichandran @ Ravi

... Petitioners

Vs.

- 1.The District Collector,
Thanjavur.

- 2.The Revenue Divisional Officer,
Kumbakonam.

- 3.The Tahsildar,
Taluk Office,
Papanasam.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing to dispose of the petitioner's appeal, dated 13.03.2017 in proceedings No.9/2017 m3 pending before the second respondent on merits within stipulated time.

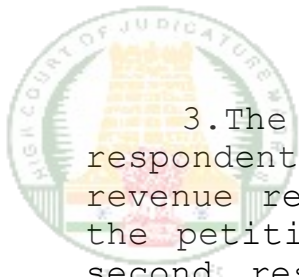
For Petitioner : Mr.S.Jayachandran

For Respondents : Mr.M.Lingadurai
Government Advocate

ORDER

This writ petition has been filed for the issue of writ of Mandamus, directing the second respondent to dispose of the appeal filed by the petitioner, on 13.03.2017, which is pending in proceedings No.9/2017 m3.

2.The case of the petitioners is that they have inherited the subject property as Class II legal heirs and they are in possession and enjoyment of the property. When the petitioners attempted to get their names mutated in the revenue records, they found that the name of a complete stranger has been mentioned in the revenue records pertaining to the subject property.



3.The petitioners therefore, filed an appeal before the second respondent for cancellation of the name of the person found in the revenue records and to mutate the revenue records in the name of the petitioners and issue a fresh patta. It is stated that the second respondent directed the third respondent to conduct an enquiry and to submit a report. However, there was no progress in the enquiry and therefore, the petitioners made further representations. Since it did not evoke any response, the present writ petition has been filed before this Court seeking appropriate directions.

4.Heard Mr.S.Jayachandran, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents.

5.Taking into consideration the facts and circumstances of this case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to enquire the appeal, dated 13.03.2017, pending in proceedings No.9/2017 m3, after affording opportunity to the petitioners and the person whose name is found in the revenue records and pass orders on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6.The petitioners are directed to make fresh representations to the second respondent along with all relevant documents and also a copy of this order.

7.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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,
Thanjavur.

2.The Revenue Divisional Officer,
Kumbakonam.

3.The Tahsildar,
Taluk Office,
Papanasam.

+1 CC to M/s.S.JEYACHANDRAN, Advocate (SR-20971[F] dated
02/07/2021)

+1 CC to M/s.SPL GP (SR-21049[F] dated 02/07/2021)

Order made in

W.P. (MD) .No.10898 of 2021

01.07.2021

CN(09.07.2021) 3P 6C