



WEB COPY

W.P(MD)No.14231 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2021

CORAM:

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.14231 of 2021

and

W.M.P. (MD) .No.11167 of 2021

R.Rukumani

... Petitioner

versus

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.
- 3.The Thasildar,
O/o.The Thasildar,
Aruppukkottai,
Virudhunagar District.
- 4.The Block Development Officer,
O/o.The Block Development Officer,
Thirusuli,
Virudhunagar District.
- 5.The Panchayat President,
Savvasupuram Panchayat,
Aruppukkottai,
Virudhunagar District.

... Respondents

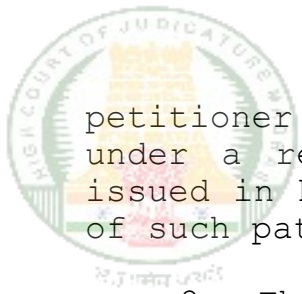
Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondents 2 and 3 to complete their proceedings dated 06.02.2020 in Na.Ka.No.A3/3757/2020 and Na.Ka.No.A3/1777/2021 dated 24.05.2021 respectively and cancel the wrong entry and consequently restrain the respondents from laying road in petitioner's patta land in old Survey No.85/4, New Survey No.178/11 situated at Savvasupuram Village, Aruppukkottai Taluk, Virudhunagar District within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.R.Baskaran
Counsel for State for R1 to R3
: Mr.R.Ragavendran for R4

O R D E R

The petitioner claims that she is the owner of the land bearing old Survey No.85/4, New Survey No.178/11, admeasuring 5 cents. The

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petitioner claims that her father-in-law purchased the property under a registered sale deed. She also states that a patta was issued in her favour in respect thereof and she has enclosed a copy of such patta.

2. The petitioner states that she was informed by Revenue Officials that the land in survey No.178/11 is classified as a Government land. Therefore, the petitioner submitted a representation to the Revenue Divisional Officer. Based on such representation, by communication dated 24.05.2021, the Thasildar called for a report from the Village Administrative Officer after concluding an inquiry in relation thereto. The petitioner seeks the expeditious conclusion of such proceedings.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of the respondents 1 to 3 and Mr.Raghavendaran, learned Government Advocate, accepts notice on behalf of the fourth respondent.

4. Although the petitioner relies upon a sale deed and patta issued in respect of Survey No.178/11, it appears from the averments in the affidavit that there is a dispute as to whether the land in Survey No.178/11 is Government land or not. This aspect would have to be examined in course of the inquiry by the Revenue Divisional Officer upon receipt of the report from the Village Administrative Officer. Nevertheless, such proceedings should be concluded expeditiously as requested for by the petitioner.

5. Accordingly, without going into the merits of the matter, the second and third respondents herein are directed to conclude the proceedings bearing Na.Ka.No.A3/3757/2020 and Na.Ka.No.A3/1777/2021 within a period of three months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner and any other person who would be affected by such decision.

6. W.P.(MD).No.14243 of 2021 is disposed of on these terms without any order as to costs. Consequently, connected W.M.P(MD).No.11167 of 2021 is closed.

Sd/-

Assistant Registrar (CRL)

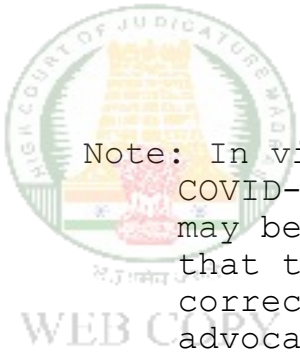
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Sub Assistant Registrar(CS)

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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,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.
- 3.The Thasildar,
O/o.The Thasildar,
Aruppukkottai,
Virudhunagar District.
- 4.The Block Development Officer,
O/o.The Block Development Officer,
Thirusuli,
Virudhunagar District.
- 5.The Panchayat President,
Savvasupuram Panchayat,
Aruppukkottai,
Virudhunagar District.

+1CC to M/S Mr.T.Thirumurugan, Advocate, Copy Appln. SR.No.26283/21 dated 13.08.2021.

+1CC to M/S Spl. Govt. Pleader, Copy Appln. SR.No.26367/21 dated 16.08.2021.

W.P (MD) No.14231 of 2021
and

W.M.P. (MD) .No.11167 of 2021
13.08.2021

MGJ (24/08/2021) 3P 8C