



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P (MD)No.15333 of 2021

and

W.M.P. (MD) .No.12233 of 2021

WEB COPY

L.Anthoniammal @ Mariya Anthoniammal

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District, Thoothukudi.

2.The District Revenue Officer,
Kovilpatti, Thoothukudi District.

3.The Tahsildar,
Kovilpatti Circle,
Kovilpatti, Thoothukudi District.

4.The District Registrar,
Office of the District Registrar,
Tirunelveli, Tirunelveli Region.

5.The Sub Registrar,
Office of the Sub Registrar,
Ettaiyapuram, Tirunelveli District.

6.Micheal Snow Jerin

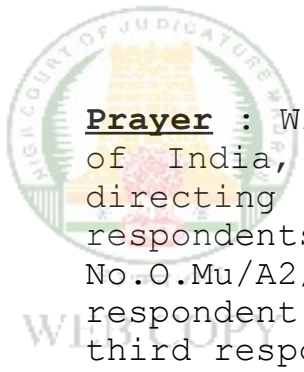
7.M.Anthonisellammal

8.The Sub Inspector of Police,
Anti Land Grabbing Special Cell,
Thoothukudi District, Thoothukudi.

9.The Executive Engineer,
Office of the Executive Engineer,
Tamil Nadu Generation and Distribution Corporation,
Kovilpatti, Thoothukudi District.

10.The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation,
Kovilpatti, Thoothukudi District.

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents more particularly the second and third respondents to conduct and conclude the enquiries bearing No.O.Mu/A2/9608/2020, dated 31.12.2020 on the file of the second respondent and A2/177/2021 dated 09.06.2021 on the file of the third respondent within a time frame as stipulated by this Court.

For Petitioners : Mr.S.Palani Velayutham
For R-1 to R-5 : Mr.P.Subbaraj
& R-8 Counsel for State

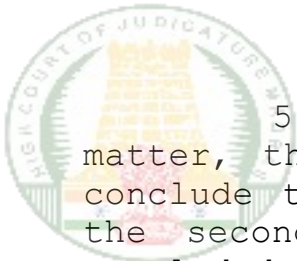
ORDER

The petitioner seeks the expeditious conclusion of an inquiry by the District Revenue Officer into the allegedly fraudulent registration of pattas in favour of the sixth and seventh respondents herein.

2. The petitioner claims that the property bearing survey No.213/6, Ayan Punja measuring 1.74 Acres and the property bearing Survey No.241/1, Ayan Punja measuring 1.15 Acres originally belonged to her father. Although the property was initially sold by her father to one Antonimuthu Konar, it is stated that it was repurchased under sale deed dated 09.06.1975 which was registered as Document No.556/1975. Upon such repurchase, the petitioner states that patta Nos.447 and 1231 were issued in respect of the aforesaid two survey numbers. Subsequently, it is alleged that the seventh respondent herein created a false document in respect of Survey No.241/1 and also succeeded in obtaining a fabricated patta in respect of the aforesaid survey number. As regards Survey No.213/6, it is alleged that respondents 6 and 7 have obtained a fabricated patta in respect thereof. In these circumstances, the petitioner states that she sent several representations to the official respondents and such representations were initially acted upon but the relevant inquiry has not been conducted.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 to 5 and 8. He submits that the District Revenue Officer may be directed to conclude such inquiry on merits and in accordance with law.

4. The petitioner has produced the patta in her favour. Documents relating to the proceedings before the second respondent have also been enclosed. In such circumstances, the petitioner has made out a case to issue a direction to the second respondent to consider and dispose of the pending inquiry.



5. Accordingly, without going into the merits of the matter, the second respondent herein is directed to conduct and conclude the inquiry bearing No.O.Mu.A2/9608/2020 on the file of the second respondent. Such inquiry shall be conducted and concluded after providing a reasonable opportunity to the petitioner and the private respondents herein. Such inquiry shall be concluded within a period of three (3) months from the date of receipt of a copy of this order. On account of the fact that the merits of the matter have not been gone into and because the second respondent has been directed to provide a reasonable opportunity to the private respondents, the Writ Petition is disposed of without notice to such respondents.

6. W.P.(MD).No.15333 of 2021 is disposed of on these terms without any order as to costs. Consequently, W.M.P.(MD).No.12233 of 2021 is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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,
Thoothukudi District, Thoothukudi.
- 2.The District Revenue Officer,
Kovilpatti, Thoothukudi District.
- 3.The Tahsildar,
Kovipatti Circle,
Kovilpatti, Thoothukudi District.
- 4.The District Registrar,
Office of the District Registrar,
Tirunelveli, Tirunelveli Region.



5.The Sub Registrar,
Office of the Sub Registrar,
Ettaiyapuram, Tirunelveli District.

6.The Sub Inspector of Police,
Anti Land Grabbing Special Cell,
Thoothukudi District, Thoothukudi.

+1 CC to M/s.SPL GP (SR-27754[F] dated 01/09/2021)

W.P (MD) No.15333 of 2021
31.08.2021

PS (CO)
SB(07.09.2021) 4P 8C