



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.17075 of 2021

WEB COPY

1.R.Kamalanathan

2.R.Selvendran

... Petitioners

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The District Revenue Officer,
Thanjavur District,
Thanjavur.

3.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.

4.The Tahsildar,
Pattukkottai Taluk,
Pattukkottai,
Thanjavur 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 3 and 4 to conclude the enquiry initiated in Oo.Mu.No.2654/2018/A4 dated 26.06.2018 on the file of the Revenue Divisional Officer, Pattukottai the third respondent herein within the time stipulated by this Court.

For Petitioners : Mr.K.P.Krishnadoss

For Respondents : Mr.P.Subbaraj,
Counsel for State.

ORDER

The petitioners seek the expeditious conclusion of the inquiry initiated by the Revenue Divisional Officer, Pattukkottai under proceedings dated 26.06.2018.

2. The petitioners trace title to the property bearing Survey No.19/7 of an extent of 2.30 Acres to an assignment order dated 20.07.1969 in favour of the petitioners' grandfather, namely,



the late Mr.T.Swaminathan. According to the petitioners, such assignment was subsequently confirmed by the Government under G.O.MS.No.755 (Revenue Department) dated 20.05.1991. The petitioners state that their grandfather settled the relevant property in their names under a gift settlement deed dated 19.01.2005. The petitioners cite the patta issued in the name of their grandfather, T.Swaminathan, and their grandmother, Kamala. However, the petitioners allege that subsequently a patta was issued under Patta No.288. Such patta was issued pursuant to proceedings dated 25.01.2018. The patta has been unlawfully issued by including the name of one Subbaian in such patta. In order to delete the name of such Subbaian, the petitioners instituted proceedings before the jurisdictional Revenue Divisional Officer. Pursuant thereto, the petitioners state that the Revenue Divisional Officer had called upon the jurisdictional Tahsildar to initiate action and report thereon to the Revenue Divisional Officer. The present Writ Petition is filed for the expeditious disposal of such proceedings.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice for all the respondents. He submits that the third respondent may be directed to consider and dispose of the pending proceedings within a reasonable time.

4. Given the limited scope of the present Writ Petition, it is not necessary to enter findings on the merits of the matter. The petitioners have also produced a copy of the assignment order in favour of their grandfather, a copy of G.O.MS.No.755 (Revenue Department) dated 20.05.1991, a copy of the gift settlement deed dated 19.01.2005 and the original patta as well as the re-issued patta in respect of the relevant survey number.

5. Accordingly, the third respondent herein is directed to conclude the proceedings initiated under Oo.Mu.No.2654/2018/A4 within a period of three (3) months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioners, Mr.Subbaian and any other person who would be affected by such proceedings.

6. W.P.(MD).No.17075 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (T&P)

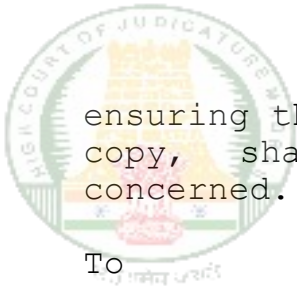
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/ /2021

Sub Assistant Registrar(CS)

tsg/LM

Note : In view of the present lock down owing to COVID-19 pandemic, a true copy of the order may be utilized for official purposes, but,
<https://hcservices.courts.gov.in/hcservices>



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 District,
Thanjavur.
- 2.The District Revenue Officer,
Thanjavur District,
Thanjavur.
- 3.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.
- 4.The Tahsildar,
Pattukkottai Taluk,
Pattukkottai,
Thanjavur District.

+1 CC to M/s.K.P.KRISHNADOSS, Advocate (SR-30062[F] dated 23/09/2021)

+1 CC to M/s.SPL. GP (SR-30139[F] dated 24/09/2021)

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RD(4.10.2021) 3P 7C