



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.17794 of 2021

V.Pradeep Malliraj

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Kovilpatti,
Thoothukudi District.

2.The Tahsildar,
Office of the Villathikulam Taluk Office,
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 herein to dispose of the petitioner's representation dated 08.03.2021 in accordance with law and within the time stipulated by this Court.

For Petitioner : Mr.C.Jeganathan
For Respondents : Mr.B.Saravanan,
Counsel for State.

ORDER

The petitioner seeks the disposal of his representation dated 08.03.2021 in respect of the alleged erroneous sub-division and grant of patta in respect of the property bearing Survey No.26/8B at Kulathoor Keelapagam Village, Villathikulam Taluk, Thoothukudi District.

2. The petitioner states that his uncle, Rajasekaran, executed a sale deed in favour of one Patchirajan on 01.02.1995. The petitioner points out that such sale deed records that the relevant property is ancestral and was partitioned by an oral partition. The petitioner also points out that the property has been correctly described in the schedule to the said sale deed by properly indicating the boundaries also. However, the petitioner states that the purchaser of the property, Patchirajan, has sub-divided the property and obtained a separate patta by completely altering the configuration of such property. The petitioner cites the relevant FMB sketch to substantiate this contention.

3. The petitioner also points out that an inquiry was initiated on the basis of his representation and that hearings took



place on 04.08.2021 and 23.08.2021, but such inquiry has not been concluded till date.

4. Mr.B.Saravanan, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the first respondent may be directed to conclude the inquiry expeditiously.

5. The petitioner has enclosed a copy of the sale deed dated 01.02.1995. He has also enclosed a copy of the FMB sketch. From the proceedings dated 12.08.2021 of the Tahsildar, it appears that even the Surveyor's report dated 15.07.2021 has already been received. As such, it is just and necessary that the pending inquiry be concluded expeditiously.

6. Towards that end, the first respondent herein is directed to proceed with and conclude the inquiry 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 petitioner and Patchirajan.

7. Accordingly, W.P(MD).No.17794 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/LM

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 Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Kovilpatti, Thoothukudi District.

2.The Tahsildar,
Office of the Villathikulam Taluk Office, Thoothukudi District.

+1 CC to M/s.SPL.GP (SR-31161[F] dated 05/10/2021)

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MGJ(20.10.2021) 2P 4C

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