



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.10.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P (MD)No.18153 of 2021

R.Aathilakshmi

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Tirunelveli, Tirunelveli District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Sankarankovil, Tenkasi District.

3.The Tahsildar,
Sankarankovil, Tenkasi District.

4.Murugesan
5.Thangavelu
6.Antonysamy
7.Subbaiya

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to conclude/complete the enquiry in Na.Ka.A2/1288/2020 pending on his file, filed against the illegal patta transfer order by the third respondent in favour of respondents 4 to 7 vide D.T.No.311/2001 dated 29.04.2001, within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.Siva Ilayaraja

For R1 to R3 : Mr.P.Subbaraj
Counsel for State.

ORDER

The petitioner seeks the expeditious conclusion of an inquiry by the second respondent in respect of the alleged illegal patta transfer in favour of respondents 4 to 7.



2.The petitioner claims title to the properties under multiple survey numbers at Ramalingapuram Village, Thiruvengadam Taluk, Tenkasi District. The petitioner states that Patta Nos.615 and 616 were issued in her favour in respect of the said properties. Subsequently, it is stated that the petitioner was shocked to discover that the patta has been issued to respondents 4 to 7 in respect of the above mentioned properties. Therefore, the petitioner submitted an appeal before the second respondent on 20.04.2015. Such proceedings were assigned file No.Na.Ka.A3/7090/2015. In spite of issuing inquiry notices on multiple dates, it is stated that such proceedings were not concluded. The present writ petition is filed in the said facts and circumstances.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice for respondents 1 to 3. He submits that the last of the inquiry notices is dated 27.08.2021 and pertains to an inquiry on 09.09.2021. Therefore, he submits that the second respondent may be directed to consider and dispose of the pending appeal after providing a reasonable opportunity to the petitioner and the private respondents herein.

4.The petitioner has enclosed a copy of the appeal filed on 20.04.2015 as well as the multiple inquiry notices issued pursuant thereto, including an inquiry notice dated 27.08.2021. Therefore, the petitioner has made out a case for issuing a direction for the expeditious conclusion of the pending inquiry. In view of the nature of the order, notice to the private respondents is dispensed with.

5.Accordingly, without going into or entering any findings on the merits of the matter, the second respondent is directed to consider and dispose of the appeal under Na.Ka.A2/1288/2020 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, the private respondents herein and any other person who would be affected by the outcome thereof.

6.W.P.(MD).No.18153 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

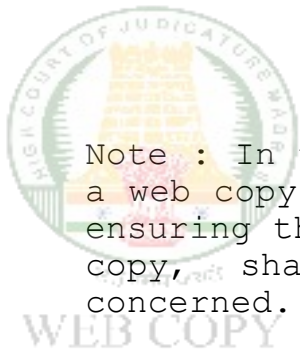
Assistant Registrar (W)

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/ /2021

Sub Assistant Registrar(CS)

sj i



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,
Tirunelveli, Tirunelveli District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Sankarankovil, Tenkasi District.
- 3.The Tahsildar,
Sankarankovil, Tenkasi District.

+1 CC to M/s.S.SIVAILAYARAJA, Advocate (SR-31575[F] dated 07/10/2021)

+1 CC to M/s.SPL.GP (SR-31766[F] dated 08/10/2021)

W.P (MD) No.18153 of 2021
07.10.2021

MGJ(25.10.2021) 3P 6C