



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.19101 of 2021

V.Lakshmanan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

2.The Tahsildar,
Karaikudi Taluk,
Karaikudi,
Sivagangai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the second respondent to implement the order passed by the first respondent in proceedings Mu.Mu.No.A1-8065-2019 dated 22.11.2019 issued by the first respondent and consequently consider the representation dated 17.03.2020 submitted by the petitioner.

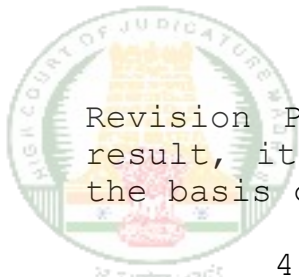
For Petitioner : Mr.P.Arun Jayatram
For Respondents : Mr.K.S.Selva Ganesan,
Counsel for State.

ORDER

The petitioner seeks a direction to the second respondent to implement the order passed by the first respondent in Proceedings bearing Mu.Mu.No.A1-8065-2019 dated 22.11.2019.

2. The petitioner is a former President of the Vallambar Community Trust. According to the petitioner, the property bearing Survey No.395/8 was wrongly entered in the village revenue records in the name of the Subramanian Kovil Trust. As regards the property bearing Survey No.395/10, it was wrongly classified as "Circar Natham". Pursuant to proceedings initiated by the petitioner, it is stated that an order dated 22.11.2019 was issued by the jurisdictional Revenue Divisional Officer. By such order, the Tahsildar was directed to rectify the mistake by mutating the patta in the name of the Vallambar Community Trust. The present Writ Petition is filed in view of the failure of the Tahsildar concerned to initiate action on the basis of the order dated 22.11.2019.

3. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of both the respondents. On instructions, he submits that the Nagarathar Community has filed a Revision Petition before the jurisdictional District Revenue Officer. Such



Revision Petition has been assigned File No.B1/15409/2021. As a result, it is stated that it is not possible to initiate action on the basis of the order dated 22.11.2019.

4. In view of the fact that a Revision Petition is pending wherein the order of the Revenue Divisional Officer dated 22.11.2019 is under challenge, it is not feasible to grant the mandamus prayed for in the present Writ Petition. However, it will be open to the petitioner to seek to implead himself in such Revision Petition.

5. Accordingly, W.P(MD).No.19101 of 2021 is disposed of without any order as to costs.

Sd/-

Assistant Registrar (CS-II)

// 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,
Devakottai,
Sivagangai District.

2.The Tahsildar,
Karaikudi Taluk,
Karaikudi,
Sivagangai District.

+1 CC to M/s.SPL.GP (SR-33206[F] dated 29/10/2021)

W.P(MD)No.19101 of 2021
28.10.2021

SAR(CO)
GC/SKN(16.11.2021) 2P 4C