



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.5679 OF 2022
W.M.P.NO.5769 OF 2022

B.Vanishree

... Petitioner

Vs.

1. The District Collector,
Collector Office,
Tiruvarur,
Tiruvarur District.
2. The District Revenue Officer,
Tiruvarur,
Tiruvarur District.
3. The Revenue Divisional Officer,
Tiruvarur Taluk,
Tiruvarur District.
4. The Special Tahsildar,
Urban land Tax Scheme,
Tiruvarur.
5. Rathnagandhimathi Naichair

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records from the second respondent vide Cha.Mu.Na.Ka. 595/2020/Aa-I dated 24.01.2022 for the stay of proceeding of the Revenue Divisional Officer, Tiruvarur Taluk, Tiruvarur District M.M.3652/2021/A-4 dated 16.11.2021, the third respondent herein to quash the same is illegal and unlawful and direct the fourth respondent to proceed with the order passed by the third respondent in proceeding M.M.3652/2021/A-4 dated 16.11.2021.



For petitioner : Mr.A.Balasingh Ramanujam

For Respondents: Mr.R.Vigneswaran
Government Advocate

WEB COPY

ORDER

The petitioner has filed this petition to issue a Writ of Certiorarified Mandamus to call for the records from the second respondent vide Cha.Mu.Na.Ka. 595/2020/Aa-I dated 24.01.2022 for the stay of proceeding of the Revenue Divisional Officer, Tiruvarur Taluk, Tiruvarur District M.M.3652/2021/A-4 dated 16.11.2021, the third respondent herein to quash the same is illegal and unlawful and direct the fourth respondent to proceed with the order passed by the third respondent in proceeding M.M.3652/2021/A-4 dated 16.11.2021.

2. Mr.R.Vigneswaran, learned Government Advocate takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. Since, no adverse order is being passed against the fifth respondent, notice to the fifth respondent is dispensed with.

4. The case of the petitioner is that the property situated at Ward No.2, Block No.38, Old Survey No.261/5M1 presently TSLR No.2100 an extent of 5955 Sq.ft and in TSLR No.2102 an extent of 2288 Sq.ft at No.46, Kumaran Kovil Street, Tiruvarur, was originally purchased by the petitioner's great grand father/Ramachandra Naidu from Chidambaram Pillai and others by way of Registered Sale Deed No.528 of 1911 and he died in the year 1940. Thereafter, petitioner's mother got the property by way of succession. However, the Patta stands in the name of fifth respondent father. Hence, the petitioner made a representation dated 21.12.2020 before the third respondent to cancel Patta, which stands in the name of fifth respondent father. Thereafter, the third respondent by order dated 16.11.2021 directed the fourth respondent to issue Patta in favour of the petitioner, by cancelling the Patta which was issued earlier. Challenging the order of the third respondent, fifth respondent had filed the Revision petition before the second respondent, and the second respondent by his order dated 24.01.2022 granted interim stay of the order passed by the third respondent. Challenging the same, the present writ petition has been filed by the petitioner.



5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court may issue direction to dispose of the revision petition pending before the second respondent within the time frame that may be fixed by this Court.

6. The learned Government Advocate appearing for the respondents submits that the revision petition will be disposed of by the second respondent within the time frame that may be fixed by this Court.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the second respondent to dispose of the revision petition filed by the fifth respondent, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity to the fifth respondent.

8. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

tri/nhs

To

1. The District Collector,
Collector Office,
Tiruvarur,
Tiruvarur District.
2. The District Revenue Officer,
Tiruvarur,
Tiruvarur District.
3. The Revenue Divisional Officer,
Tiruvarur Taluk,
Tiruvarur District.



4. The Special Tahsildar,
Urban land Tax Scheme,
Tiruvarur.

WEB COPY

+2ccs to Mr.A.Balasingh Ramanujam, Advocate, S.R.No.17482
+1cc to the Government Pleader, S.R.No.17817

W.P.No.5679 of 2022
W.M.P.No.5769 of 2022

RSI (CO)
PM/01/04/2022