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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.10095 OF 2022

P.Chinnadurai

... Petitioner

.Vs.

1. The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.
2. The Land Survey and Land
Reformation Commissioner,
Ezhilagam,
Cheppakkam,
Chennai - 600 005.
3. The District Collector,
Office of The District Collector,
Ariyalur,
Ariyalur District.
4. The District Revenue Officer,
Office of The District Revenue Officer,
Ariyalur,
Ariyalur District.
5. The Revenue Divisional Officer,
Office of The Revenue Divisional Officer,
Udayarpalayam,
Udayarpalayam Taluk,
Ariyalur District.
6. The Tahsildar,
Sendurai Taluk office,
Sendurai,
Ariyalur District.

... Respondents



PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to correct the area and include the petitioner name in joint Patta bearing survey No.346/8D in Munayathirayanpatti, Kazhumangalam Panchayat, Nagalkuli Revenue Village, Sendurai Taluk, Ariyalur District.

For Petitioner : Mr.M.Kavikannan

For Respondents : Mr.A.Anandan
Government Advocate

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the respondents to correct the area and include the petitioner name in joint Patta bearing survey No.346/8D in Munayathirayanpatti, Kazhumangalam Panchayat, Nagalkuli Revenue Village, Sendurai Taluk, Ariyalur District.

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

3. The learned counsel for the petitioner would submit that the petitioner claims to be the owner of the property in S.No.346/8D, situated at Munayathirayanpatti, Kazhumangalam Panchayat, Nagalkuli Revenue Village, Sendurai Taluk, Ariyalur District. The petitioner made a representation on 25.11.2019 for correction of area and include the petitioner's name in the joint patta. In an earlier occasion, based on the petitioner's representation, the sixth respondent conducted enquiry and already the Revenue Inspector and the sixth respondent forwarded the report on 26.07.2013 to the fifth respondent. However, the fifth respondent has not concluded the proceedings. Hence, this present petition is filed.

4. The learned counsel for the petitioner further submitted that it would suffice if this Court issues direction to the fifth respondent to conclude the enquiry and pass appropriate orders within the stipulated time as may be fixed by this Court.

5. The learned Government Advocate would submit that there is a rival claim and after issuance of notice to the rival claimants appropriate orders will be passed.



6. Considering the facts and circumstances of the case, in view of the limited relief sought for, this Court without going into the merits of the case, directs the fifth respondent to conclude the enquiry and pass orders on merits based on the petitioner's representation dated 25.11.2019, after giving an opportunity of hearing to the petitioner and aggrieved parties if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mn

To

1. The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.
2. The Land Survey and Land
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Cheppakkam,
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Udayarpalayam,
Udayarpalayam Taluk,
Ariyalur District.



6. The Tahsildar,
Sendurai Taluk office,
Sendurai,
Ariyalur District.

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+2ccs to Mr.M.Kavikannan, Advocate, S.R.No.28576
+1cc to the Government Pleader, S.R.No.29672

W.P.NO.10095 OF 2022

SS (CO)
PBS/17/05/2022