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W.P.No.31936 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2022

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.31936 of 2017

J.Sundaravadanam

...Petitioner

Vs.

1. The Settlement Officer,
O/O. The Commissioner and Director of Survey and Settlement,
Chepauk, Chennai.
2. The Revenue Divisional Officer,
Vellore District, Vellore.
3. The Tahsildar,
Arcot Taluk, Vellore District.
4. The Special Tahsildar,
Land Tax, Arcot Town,
Ranipet Taluk Office, Vellore District.
5. Yaqup Sheriff

...Respondents

(R5 impleaded, vide order dated 04.11.2022 made in WMP.No.1501 of 2018 in W.P.No.31936 of 2017)

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 4th respondent to conduct enquiry as directed by the 2nd respondent order dated 10.08.2017 in O.Mu.P.4192/



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2017 and produce the enquiry report before this Hon'ble Court within the time frame fixed by this Hon'ble Court.

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For Petitioner : Mr.S.Perumbulavil Radhakrishnan

For Respondents : Mr.U.Baranidharan, AGP, for R1 to R3

ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the 4th respondent to conduct enquiry as directed by the 3rd respondent, vide order dated 10.08.2017 in O.Mu.P. 4192/ 2017 and produce the enquiry report before this Court.

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

3. The case of the petitioner is that the petitioner and his brothers have jointly purchased the subject properties from one Nawab Ali Khan and Rafiq Mohamed Khan, vide Doc.No.5354 of 2000 dated 30.11.1998 and pursuant to the said purchase, the petitioner and his brothers are in joint possession and enjoyment of the same. Thereafter, the petitioner and his brothers made several petitions before the revenue officials seeking for issuance of patta in



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respect of the subject properties, however, no orders have been passed on the said petitions. While so, when the petitioner obtained a copy of the A-Register, he came to know that there are some errors in the revenue records in respect of the subject properties. Immediately, the petitioner and his brothers made a petition dated 17.02.2017 before the 1st respondent, who in turn forwarded the said petition to the 2nd respondent for enquiry, vide proceedings dated 22.03.2017. Further, the petitioner has also filed a fresh petition dated 24.07.2017 before the 2nd respondent, who in turn forwarded the same to the 3rd respondent, vide proceedings dated 03.08.2017, directing him to conduct enquiry based on the petitioner's petition and on receipt of the said proceedings dated 03.08.2017, the 3rd respondent in turn forwarded the same to the 4th respondent, vide proceedings dated 10.08.2017, directing him to pass orders on the petition made by the petitioner. However, it is pertinent to note that, till date, no final order has been passed on the petitions made by the petitioner. Hence, aggrieved by the inaction of the respondents, the petitioner has come up with this Writ petition.

4. Though very many grounds have been raised, learned counsel for the



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petitioner submitted that, it would suffice if this Court issues a direction to the 4th respondent to conduct enquiry on the petition dated 24.07.2017 made by the petitioner, in compliance with the proceedings of the 3rd respondent dated 10.08.2017 and to conclude the proceedings and pass orders on merits and in accordance with law as expeditiously as possible.

5. Learned Additional Government Pleader appearing for the respondents 1 to 4 has no serious objection for the said order being passed and he fairly conceded that the proceedings initiated by the 3rd respondent will be concluded and appropriate orders will be passed on the petition dated 24.07.2017 made by the petitioner within the time stipulated by this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 4th respondent to conduct enquiry on the petition dated 24.07.2017 made by the petitioner, in compliance with the letter dated 10.08.2017 forwarded by the 3rd respondent and conclude the proceedings and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of



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this order, after affording an opportunity of personal hearing to the petitioner and the private respondent. For ready reference, the petitioner is directed to send a copy of the representation to the 4th respondent.

7. With the above directions, this Writ petition is accordingly disposed of. No costs.

04.11.2022
(1/2)

skt

Speaking Order : Yes/ No
Index : Yes/ No

To

1. The Settlement Officer,
O/O. The Commissioner and Director of Survey and Settlement,
Chepauk, Chennai.
2. The Revenue Divisional Officer,
Vellore District, Vellore.
3. The Tahsildar,
Arcot Taluk, Vellore District.

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4. The Special Tahsildar,
Land Tax, Arcot Town,
Ranipet Taluk Office,
Vellore District.

M.DHANDAPANI, J.

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