

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6854 of 2022
and
W.M.P.(MD).No.5270 of 2022

Chinna Jeyaraman

... Petitioner

Vs

1.The District Collector,
Dindigul District.

2.The Revenue Divisional Officer,
Nilakottai Taluk,
Dindigul District.

3.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

4.The Head Master,
Panchayat Union Middle School 1st Ward,
Batlagundu,
Nilakkottai Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records in Na.Ka. 2099/2021/A4 dated 25.03.2021 on the file of Tahsildar, Nilakottai, Dindigul District and quash the same and further direct the third respondent to restore patta No. 9126 in the name of K.Kamanan.

For Petitioner : Mr.M.V.Venkataseshan

For R-1 to R-3 : Mr.Veera Kathiravan,
Additional Advocate General,
Assisted by,
Mr.M.Sarangan,
Additional Government Pleader.

For R-4 : Mr.V.Om Prakash,
Government Advocate.

ORDER

Heard the learned counsel for the petitioner and learned Additional Advocate General assisted by learned Additional Government Pleader appearing for respondents 1 to 3 and learned Government Advocate appearing for the fourth respondent.

2. The case of the writ petitioner is that the property in question is the ancestral property and that therefore the revenue records should rightly reflect their names. By the impugned order, the Tahsildar, Nilakottai had restored the name of the fourth respondent School in the revenue records. Questioning the same, the present Writ Petition has been filed.

3. Several contentions were raised. I am not inclined to entertain the petition for the present because the order impugned in the Writ Petition is appealable before the jurisdictional Revenue Divisional Office. If an appeal is filed either by the writ petitioner or by the purchaser Kamanan within a period of four (4) weeks from the date of receipt of a copy of this order, the jurisdictional Revenue Divisional Officer shall entertain the same without reference to limitation. The petitioner is also given liberty to adduce evidence before the appellate authority. I grant this permission because the petitioner did not appear before the third respondent, nor his statement was recorded. In other words, the appellate authority is at liberty to re-hear the entire matter on all aspects. As and when an appeal is filed, the appellate authority will dispose it of on merits and in accordance with law within a period of twelve (12) weeks thereafter.

4. With the above liberty, this Writ Petition is disposed of. No costs.
Consequently, connected miscellaneous petition stands closed.

02.09.2022

Index : Yes / No
Internet : Yes/ No
Nsr

To

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Dindigul District.
- 3.The Tahsildar,
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- 4.The Head Master,
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G.R.SWAMINATHAN, J.

Nsr

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