



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.6950 of 2022

Asabanu

... Petitioner

Vs .

1.The District Collector,
Office of the District Collector,
Theni.

2.The Tahsildar,
Uthamapalayam Taluk Office,
Theni District.

3.The Revenue Inspector,
Office of the Taluk Office,
Markayankottai,
Uthamapalayam Taluk,
Theni District.

...Respondents

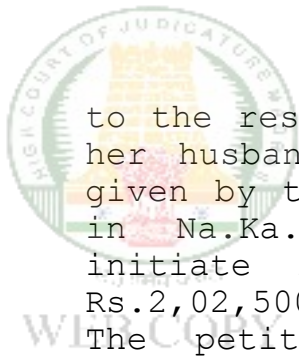
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to implement the orders passed by the second respondent in Na.Ka.No.15216/2015/A8 dated 05.04.2016 within the time stipulated by this Court.

For Petitioner	:	Mr.Mohamed Riyaz
For Respondents	:	Mr.M.Lingadurai, Special Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to implement the order passed by the second respondent dated 05.04.2016.

2. According to the petitioner, in a maintenance proceeding initiated by her against her husband, the learned Judicial Magistrate, Uthamapalayam had directed her husband to pay maintenance to her. According to her, despite the order dated 13.12.2012 passed in M.C.No.30 of 2009 by the learned Judicial Magistrate, Uthamapalayam, the petitioner's husband has not paid her maintenance. In such circumstances, she has given a representation



to the respondents to initiate revenue recovery proceedings against her husband. The second respondent, based on the representation given by the petitioner, has also passed an order dated 05.04.2016 in Na.Ka.No.15216/2015/A8 requesting the third respondent to initiate revenue recovery proceedings to recover the sum of Rs.2,02,500/- due and payable to the petitioner from her husband. The petitioner seeks for implementation of the order dated 05.04.2016 passed by the second respondent in this Writ Petition.

3. Heard Mr.Mohamed Riyaz, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. No prejudice would be caused to the respondents, if a direction is issued to the third respondent to recover a sum of Rs.2,02,500/- due and payable to the petitioner from her husband, Abudhahir, within a time frame to be fixed by this Court by adopting the procedure contemplated under the Revenue Recovery Act.

5. Accordingly, this Court directs the third respondent to initiate revenue recovery proceedings in accordance with the Revenue Recovery Act against the husband of the petitioner, Mr.Abudhahir and conclude the same within a period of six (6) months from the date of receipt of a copy of this order.

6. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

- 1.The District Collector,
Office of the District Collector,Theni.
- 2.The Tahsildar,
Uthamapalayam Taluk Office,Theni District.
- 3.The Revenue Inspector,
Office of the Taluk Office,
Markayankottai,
Uthamapalayam Taluk,Theni District.

+1 CC to M/s.SPL.GP (SR-19339[F] dated 19/04/2022)

W.P. (MD) .No.6950 of 2022
13.04.2022

MGJ(27.04.2022) 2P 5C

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