



W.P.(MD)No.26985 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.26985 of 2022

S.Sivaraman

.. Petitioner

Vs.

1.The Revenue Divisional Officer,
Sivagangai District.

2.The Tahsildar,
Sivagangai Taluk and District.

3.S.Kalamegam

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the second respondent to complete the proceedings forwarded by the first respondent in Oo.Mu.A3/1288/2021, dated 19.02.2021 and include petitioner's name in the patta No.573 & 616.

For Petitioner : Mr.K.K.Udayakumar
For R1 & R2 : Mr.A.Kannan
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents 1 & 2 to complete the proceedings forwarded by the



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first respondent in Oo.Mu.A3/1288/2021, dated 19.02.2021 and include petitioner's name in the patta No.573 & 616.

2.Heard Mr.K.K.Udayakumar, learned counsel appearing for the petitioner, Mr.A.Kannan, learned Additional Government Pleader, who takes notice for the respondents 1 & 2. By consent of both parties, this writ petition is taken up for final disposal.

3. The grievance of the petitioner is that representation submitted by the petitioner seeking to include the name of the petitioner in the patta in the name of the third respondent herein, has not been considered.

4. The learned counsel for the petitioner submitted that the petition mentioned property was purchased out of the income of the petitioner. Since the petitioner was working in United Arab Emirates, the purchase was made in the name of the third respondent, who is the brother of the petitioner herein. Thereafter, the third respondent mutated all the revenue records in his name and sold a portion of the property to some third parties. Hence, the petitioner preferred an appeal before the first respondent and the same was ended in his favour and forwarded to the second respondent. Even thereafter, the second respondent has not completed the proceedings of including the name of the



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petitioner in the patta with regard to the said property. Hence, the petitioner has filed the present petition with the prayer aforementioned.

5. No prejudice would be caused to the second respondent, if the proceedings, in Oo.Mu.A3/1288/2021, dated 19.02.2021 in relation to the appeal preferred by the petitioner seeking to include the petitioner's name in the patta with regard to the petition mentioned properties, is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.

6. Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider and complete the proceedings forwarded by the first respondent in Oo.Mu.A3/1288/2021, dated 19.02.2021, after giving notice to the petitioner and rival claimants, if any, within a period of twenty [20] weeks from the date of receipt of a copy of this order.

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

30.11.2022

Index : Yes/No
Internet : Yes/No



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V.BHAVANI SUBBAROYAN, J.

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To

- 1.The Revenue Divisional Officer,
Sivagangai District.
- 2.The Tahsildar,
Sivagangai Taluk and District.

Order made in
W.P.(MD) No.26985 of 2022

30.11.2022