



W.P(MD)No.2958 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2958 of 2023

and

W.M.P.(MD)No.2743 of 2023

R.Muruganantham

... Petitioner

Vs.

- 1.The Secretary to Government,
Tamilnadu Revenue Disaster Management Department,
Tamilnadu Government, Secretariat,
Chennai, Tamilnadu.
- 2.The District Collector,
Sivagangai District Collectorate,
Sivagangai, Tamilnadu.
- 3.The Thasildhar,
Sivagangai Taluk Office,
Sivagangai, Tamilnadu.
- 4.The Head Surveyor,
Survey Department,
Sivagangai Taluk Office,
Sivagangai District,
Tamilnadu.
- 5.The Sub Registrar,
Sivagangai Joint II Sub Registrar Office,
Sivagangai Town, Sivagangai District,
Tamilnadu.



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6.Anandakrishnan @ Manikkam

7.Amsavalli

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 3rd respondent vide Pa.Mu.A3/4848/2022 dated 09.12.2022 and quash the same as illegal and consequently by directing the 2nd respondent, to issue subdivision patta in favour of the petitioner based on his patta subdivision application in vide Can No.133231111530195 and vide Application No.2022/0105/23/169493 dated 23.03.2022 after doing proper survey as per law, in the light of the petitioner's Representation in vide petition No.TN/REV/SVG/I/COLLMGDP/19DEC22/4779026 dated 19.12.2022 to the second respondent District Collector.

For Petitioner : Mr.P.Murughadasan

For Respondents : Mr.G.Suriyananth,
Addl. Government Pleader for R1 to R5.

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the respondents 1 to 5.

2.The petitioner and the private respondents are at loggerheads. The petitioner has suffered an adverse order at the hands of the Tahsildar,



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Sivagangai. This order is very much appealable before the jurisdictional Revenue Divisional Officer. After hearing the learned counsel for the petitioner, it appears that the issue is one of identification of the land purchased by the petitioner as well as the private respondents. If the petitioner files an appeal before the jurisdictional Revenue Divisional Officer within a period of two weeks from the date of receipt of a copy of this order, the same will be entertained without reference to limitation. The jurisdictional Revenue Divisional Officer shall dispose of the same on merits and in accordance with law within a period of four months thereafter. I make it clear that I have not gone into the merits of the matter. Since the writ petitioner has filed the original order before this Court, the petitioner can very well file an appeal before the jurisdictional Revenue Divisional Officer with true copy.

3. With this liberty to the writ petitioner and direction to the jurisdictional Revenue Divisional Officer, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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