



WP(MD)No.10577 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Anthonisamy

... Petitioner

v.

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Revenue Divisional Officer,
Pudukottai District,
Pudukottai.

3.The Tahsildar,
Karambakudi Taluk,
Pudukottai District.

4.S.S.Anthonimary

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent to transfer the case in Na.Ka.No.3106/A4/2014 from the file of the second respondent and to try the case along with the proceedings pending on the file



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of the first respondent in O.Mu.No.252420/2022/D3, based on the petitioner's
representation dated 17.04.2023.

For Petitioner : Mr.D.Rameshkumar

For Respondents : Mrs.D.Farjana Ghoushia,
Special Government Pleader
for R.1 to R.3

No appearance for R.4

ORDER

The petitioner is having a dispute with regard to the property in S.No. 732/3 of Mullamkurichi Village, Karambakudi Taluk, Pudukottai District. Claiming that some mistake crept-in during the UDR survey, the petitioner has filed an appeal under the Patta Passbook Act before the District Collector, Pudukottai and the same is pending in O.Mu.No.252420/2022/D3, dated 11.11.2022. The fourth respondent, claiming title over the very same property, has filed a separate appeal before the second respondent / Revenue Divisional Officer in Na.Ka.No.3106/A4/2014.



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2. With regard to the same property, since the proceedings are pending before two different authorities, the petitioner has filed this writ petition for a mandamus directing the first respondent / District Collector to transfer the proceedings in Na.Ka.No.3106/A4/2014 filed by the fourth respondent before the second respondent / Revenue Divisional Officer to the file of the District Collector and to try along with O.Mu.252420/2022/D3.

3. Learned Special Government Pleader, by referring the Government Order in G.O.Ms.No.385, Revenue Department, dated 17.08.2004, submitted that if there are any dispute with regard to the UDR survey, the parties have to prefer appeal before the District Revenue Officer. However, the petitioner preferred the appeal before the District Collector and the fourth respondent preferred the appeal before the Revenue Divisional Officer.

4. In view of the above, this writ petition stands disposed of with a direction to the respondents 1 & 2 / District Collector and Revenue Divisional Officer to transfer the proceedings in O.Mu.No.252420/2022/D3 and Na.Ka.No.3106/A4/2014 to the District Revenue Officer, Pudukottai, within a



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B.PUGALENDHI, J.

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period of three weeks from the date of receipt of a copy of this order. The District Revenue Officer shall conduct a fresh enquiry, after affording due opportunity to the petitioner and the fourth respondent and other interested parties and pass appropriate orders, as expeditiously as possible. No costs.

Index : Yes / No
NCC : Yes / No
Internet : Yes
gk

06.07.2023

To

- 1.The District Collector,
Pudukottai District,
Pudukottai.
- 2.The Revenue Divisional Officer,
Pudukottai District,
Pudukottai.
- 3.The Tahsildar,
Karambakudi Taluk,
Pudukottai District.

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