



WP(MD)No.13918 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.13918 of 2022

and

WMP(MD)No.9904 of 2022

P.Rajasekaran

... Petitioner

v.

1.The District Collector,
Virudhunagar District.

2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

4.The Tahsildar,
Aruppukottai,
Virudhunagar District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
seeking issuance of a Writ of Mandamus forbearing the respondents from



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passing an order assigning the land in S.Nos.447/7, 447/8, 447/10 measuring to an extent of 71 cents situated at Mallankinaru Post, Kariyapatti Taluk, Virudhunagar District, to any third party without conducting the petitioner's enquiry and taking final decision in this regard on the subject matter of issue by considering the petitioner's representation dated 29.04.2019, 20.09.2019.

For Petitioner : Mr.V.R.Venkatesan

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for a mandamus forbearing the respondents from passing any order assigning the lands in S.Nos.447/7, 447/8, 447/10, situated at Mallankinaru Post, Kariyapatti Taluk, Virudhunagar District, to any third party.

2.Learned Counsel for the petitioner submitted that the subject lands are the family properties of the petitioner and the petitioner has obtained a valid civil Court decree in his favour. The respondents herein are also party to the



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suit. Despite the same, the respondents are attempting to assign the subject lands to some third parties. Therefore, he prayed for appropriate orders.

3.Learned Additional Government Pleader, on instructions, submitted that with regard to the very same grievance, the petitioner has made a representation before the respondents. On the representation of the petitioner, the respondents have called upon him to produce the relevant documents, however, the petitioner has not appeared before the respondents and has filed this writ petition.

4.This Court considered the rival submissions made on either side and perused the available materials.

5.The petitioner, with the same allegation, has already approached the authorities, however, it appears that he has not co-operated for the enquiry before the third respondent / Revenue Divisional Officer, Aruppukottai. Therefore, this writ petition is disposed of with a liberty to the petitioner to place all the materials before the Revenue Divisional Officer, Aruppukottai,



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within a period of two weeks from the date of receipt of a copy of this order.

On receipt of the same, the Revenue Divisional Officer shall conduct an enquiry and shall pass appropriate orders, on merits and in accordance with law, after affording sufficient opportunity of hearing to the petitioner and also to other relevant parties, if any, within a further period of twelve weeks therefrom.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
gk

12.09.2023

To

- 1.The District Collector,
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- 2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
- 3.The Revenue Divisional Officer,
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4. The Tahsildar,
Aruppukottai,
Virudhunagar District.



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B.PUGALENDHI, J.

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