



WP(MD)No.19700 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.19700 of 2022

M.K.Sethuraman

.. Petitioner

v.

1.The Commissioner of Land Administration,
Chepauk,
Chennai.

2.The District Collector,
District Collectorate,
Theni.

3.The District Revenue Officer,
District Revenue Office,
Theni.

4.The Revenue Divisional Officer,
Periyakulam,
Theni District.

5.The Tahsildar,
Andipatti Taluk,
Theni District.

.. Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 2 to 5 to provide the allotted land to the petitioner situated in S.No.503/1E1 based on the letter in M.R.4/44/Periyakulam/B1 dated 30.03.2012 issued by Assistant Commissioner (Land Reforms and Land Ceiling) and consequently, directing the respondents 1 & 2 to issue patta to the petitioner in respect of S.No.503/1E1 to an extent of 1 acre 50 cents at Mayiladumparai Village, Andipatti Taluk, Theni District, within a stipulated time limit.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.M.Sarangan,
Additional Government Pleader

ORDER

The petitioner's father was assigned with certain lands. With a grievance that the assigned lands have been illegally grabbed by third parties, the petitioner has submitted a representation and also filed this writ petition for early disposal of the representation.



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2.This Court, while entertaining the writ petition, by order dated 06.06.2023, directed the respondents to conduct an enquiry on the following grounds:-

- i) Whether the assignment in the name of the father can be claimed by the petitioner / son as a hereditary right.
- ii) Whether the fact that the petitioner is not in possession can be examined by the respondents, adverse to the interest of the petitioner.
- iii) Notice to be issued to the persons who are now in possession of the land.

3.Learned Additional Government Pleader submitted that the enquiry is still undergoing and that they would decide the issue within a period of four weeks.

4.Considering this submission and also the fact that this Court has already directed the Revenue Divisional Officer to conduct an enquiry with certain specific points, this writ petition is disposed of with a direction to the Revenue Divisional Officer / fourth respondent to conduct the enquiry,



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as directed by this Court in the order dated 06.06.2023 and take a decision thereon, after affording due opportunity of hearing to the parties concerned, within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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

28.07.2023

To

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B.PUGALENDHI, J.

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