



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.3353 of 2024

C.Alamelu

... Petitioner

Vs.

1. The District Collector
Thiruvaroor District, Thiruvaroor
2. The District Revenue Officer
Thiruvaroor District, Thiruvaroor
3. The Revenue Divisional Officer
Manargudi, Thiruvaroor District
4. The Tahsildar
Manargudi, Thiruvaroor District
5. The Executive Engineering and Administrative Officer
The Tamilnadu Housing Board, Thanjavoor
6. C.Nehru
7. G.Chithamparam

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Respondent No.2 to dispose the Revision dated 29.10.2020, filed by the petitioner by completing her proceedings dated 20.11.2020 in Na.Ka.No.12621/2020/A-1 and cancel the Patta stands in the name of 5th respondent in respect of property in Ward No.1 in Block No.11 in T.S.No.793/A1 in an extent of 3 Acres 23,501 Sq.ft. situated at Annamalainathar Temple Village, Mannargudi Town, Thiruvaroor District within the time stipulated by this Court.



For Petitioner : Mr.T.Thirumurugan

For R1 to R4 : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

This Writ Petition is filed seeking a Writ of Mandamus directing the Respondent No.2 to dispose the Revision dated 29.10.2020, filed by the petitioner by completing her proceedings dated 20.11.2020 in Na.Ka.No.12621/2020/A-1 and cancel the Patta stands in the name of 5th respondent in respect of property in Ward No.1 in Block No.11 in T.S.No.793/A1 in an extent of 3 Acres 23,501 Sq.ft. situated at Annamalainathar Temple Village, Mannargudi Town, Thiruvaroor District within the time stipulated by this Court.

2. The contention of the petitioner is that she filed a revision petition before the 2nd respondent on 29.10.2020 requesting to cancel the Patta transferred in the name of the 5th respondent/Housing Board fraudulently by the respondents 6 and 7. Even after lapse of three years, the same has not been heard and no order has been passed. Therefore, the petitioner is constrained to move this Court by way of this Writ Petition.



3. Mr.T.Arun Kumar, learned Additional Government Pleader who takes notice for the respondents 1 to 4 fairly conceded that the revision filed by the petitioner dated 29.10.2020 has not been disposed of.

4. Heard and perused the materials available on record.

5. Since no adverse order is being passed against the respondents 5 to 7, notice to the respondents 5 to 7 is dispensed with.

6. It is seen from the records that the 2nd respondent, by his communication dated 20.11.2020, has already given a direction to the 3rd respondent to take appropriate action on the petitioner's application and to give report to the 2nd respondent as well as to the petitioner herein. However, the same has not been considered so far.

7. Having regard to the submissions made by the learned counsel on either side and since this writ petition is filed seeking a simple writ of mandamus to dispose of the revision petition filed by the petitioner, this Court without expressing any opinion with regard to the merits of the case,



directs the 2nd respondent to issue notice of hearing to the petitioner and to the respondents 5 to 7 and also to the rival claimants/interested parties/objectors if any, as the case may be and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law and dispose of the petitioner's revision petition dated 29.10.2020 within a period of two months from the date of receipt of a copy of this order, since the revision petition is pending from the year 2020.

8. Accordingly, the Writ Petition is disposed of at the admission stage itself. There shall be no order as to the costs.

9. Before parting with this case, it is to be noted that this Court, in W.P.No.262 of 2018 (D.Tulasi vs. The District Revenue Officer, Dharmapuri etc. and batch), by order dated 09.06.2023, directed the Department to issue circular in regard to disposal of the application/petition/revision/appeals and etc., within time limit and obey the Court orders and in that regard, the Commissioner of Land Administration has also issued a circular No.R1/2005632/2022 dated 17.07.2023 as to how the matters have to be dealt with and within the period of which, the matters have to be disposed of has



been fixed in the circular and inspite of the same, the Departments are not following either the order of this Court or the circular.

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10. In this case, the Government Officials have violated the order of this Court as well as the circular. Hence, the Chief Secretary/Disciplinary Authority as the case may be, is directed to take departmental action against the respondents 2 and 3 herein and also against the concerned officials as the case may be, and file action taken report before this Court on or before 19.04.2024 in regard to this Writ Petition.

11. Post the matter on 22.04.2024 “for reporting compliance”.

15.02.2024

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

Note: Issue Order copy on 16.02.2024.



To

- 1. The District Collector**
Thiruvaroor District, Thiruvaroor
- 2. The District Revenue Officer**
Thiruvaroor District, Thiruvaroor
- 3. The Revenue Divisional Officer**
Manargudi, Thiruvaroor District
- 4. The Tahsildar**
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P.VELMURUGAN. J.

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