



W.P.No.22703 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22703 of 2024

Sheik Mohammed Sathik

...Petitioner

Vs.

1.The District Collector
Kesavalu Nagar, V.O.C.Nagar
Kallakurichi, Tamil Nadu 606 202.

2.The Revenue Divisional Officer
Kacharapalayam Road
Kallakurichi 606 213.

3.The Tahsildar
Kallakurichi.

4.Kairun Bee

5.Farida Begum

6.Sharaf Sha

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to pass orders in Na.Ka.A4/1411/2023 dated 09.11.2023 pending on the file of the second respondent within a time period fixed by this Court.

For Petitioner : Mr.R.Sanjay

For Respondents : Mr.A.Selvendran for R1 to R3
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the second respondent to pass order in his proceedings in Na.Ka.A4/1411/2023 dated 09.11.2023, within a time fixed by this Court.

2. According to the petitioner, his father-in-law bequeathed to an extent of 1.72 acres in S.F.No.134/7 situated in Periyamampattu Village, Kallakurichi Taluk and District, in favour of his wife Nargis, by registered a Will dated 20.05.1991. Later the petitioner's wife executed a gift deed dated 29.11.2010 in favour of the petitioner. Thus, the petitioner claimed right over the said property. It is further claimed by the petitioner that the respondents 4



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to 6 obtained patta for the above mentioned property without any documents and hence, he made a complaint to the second respondent seeking cancellation of patta obtained by the rival claimants.

3. The second respondent initiated an enquiry in his proceedings in Na.Ka.A4/1411/2023 dated 09.11.2023. Though enquiry notice was issued by the second respondent as early as November 2023, till date enquiry has not been conducted and no final orders were passed. Therefore, the petitioner is before this Court.

4. Mr.A.Selvendran, the learned Special Government Pleader, who takes notice for the respondents 1 to 3, would submit that the third respondent already submitted his report to the second respondent regarding the claim made by the petitioner and final orders will be passed after giving opportunity to the petitioner and the respondents 4 to 6 within a time fixed by this Court.

5. In view of the above said position, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a



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direction to the second respondent to complete the enquiry in his proceedings in Na.Ka.A4/1411/2023 dated 09.11.2023 and pass final orders, within a period of 8 weeks from the date of receipt of copy of this order, after affording sufficient opportunity to the petitioner as well as the respondents 4 to 6.

6. With the above direction, this Writ Petition is disposed of. No costs.

12.08.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna

To

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S.SOUNTHAR, J.
dna

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