



WEB COPY



W.P(MD)No.:

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.564 of 2024

Indra

..Petitioner

Vs

1.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
Paramakudi,
Ramanathapuram District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent to dispose the petitioner's Appeal in Na.Ka.(A3)/3941/2022, dated 02.04.2022 on merits and in accordance with law.

For Petitioner

:Mr.R.Velmurugan

For R1 & R2

:Mr.D.Gandhiraj

Special Government Pleader



W.P(MD)No.:

ORDER

The Petitioner has filed this Writ Petition seeking a direction to the first respondent to dispose the petitioner's Appeal in Na.Ka.(A3)/3941/2022, dated 02.04.2022 on merits and in accordance with law.

2. Heard Mr.R.Velmurugan, learned counsel appearing for the petitioner and Mr.D.Gandhiraj, learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that the petitioner's father Late.Natarajan Chettiar was in possession and enjoyment of the lands in S.No.396/2 and was doing agriculture. After his death, the petitioner and his sisters are in possession and enjoyment of the same. In the above said lands, Karuveta trees are sold to the known persons and till today the petitioner is in possession and enjoyment of the same. For build the house and shops and to obtain the building plan approval sought for computer patta through online. He came to know that his lands at S.No.396/2, Kattu Paramakudi Village, Paramakudi Taluk, Ramanathapuram District has been sub-divided as S.Nos.396/2B1, 396/2B2, 396/2B3 and shown as Adi Dravida Burial Ground and Government Poramboke in the patta. But 'A' Register S.No.396/1 is shown as Burial ground and as



W.P(MD)No.:

WEB COPY

Cart Pathway and S.No.396/2A in the name of his father late.Natarajan Chettiar. By mistake, the above property has been wrongly entered as Government Poramboke in the patta and in the property has been classified as Government property. The petitioner and his sister had filed an appeal before the first respondent on 02.04.2022. The first respondent by proceedings in Na.Ka.(A3)/3941/2022, dated 04.05.2022 had directed the second respondent to submit a report. Till date the appeal is pending and no orders have been filed, hence, the petitioner has filed the present writ petition.

4. It is seen from the records that in the 'A' Register S.No.396/1 is shown as Burial ground and the petitioner is seeking right for S.No.396/2A, which is stands in the name of his father.

5.The learned Special Government Pleader appearing for the respondents submits that the appeal is pending before the first respondent and hence, appropriate direction may be given to the first respondent to consider the petitioner's appeal.

6. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the first respondent to consider the petitioner's Appeal in Na.Ka.(A3)/3941/2022, dated 02.04.2022 after



W.P(MD)No.:

WEB COPY

giving notice to all the parties concerned and pass orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition stands disposed of. No costs.

Index : Yes/No

Internet: Yes/No

am

10.01.2024

To

1.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
Paramakudi,
Ramanathapuram District.



WEB COPY



W.P(MD)No.:

V.BHAVANI SUBBAROYAN, J.

am

W.P(MD)No.564 of 2024

10.01.2024