



WEB COPY



W.P.(MD)No.2005 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2024

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THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.2005 of 2024

Prammuammal

: Petitioner

Vs.

The District Revenue Officer,
Collectorate Office, Kokirakulam,
Tirunelveli District.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondent to complete proceedings in O.Mu.ka2/21492/2022 dated 10.06.2022 within time frame to be fixed by this Court.

For Petitioner : Mr.S.Kumar

For Respondent : Mr.A.Kannan

Additional Government Pleader

O R D E R

This Writ Petition is filed seeking for a direction to the respondent to complete proceedings in O.Mu.ka2/21492/2022 dated 10.06.2022.



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2.Heard Mr.S.Kumar, learned Counsel appearing for the petitioner and Mr.A.Kannan, learned Additional Government Pleader who accepts notice for the respondent.

3.By consent, the main Writ Petition itself is taken up for final disposal at the admission stage itself.

4.The case of the petitioner is that the properties in S.Nos. 132/2, 133, 135/2 in Paraikulam Village, Palayamkottai Taluk originally belonged to four persons namely Sanga Konar, Perumal Konar, Punaiya Konar and Sankaralinga Konar and a joint patta No.9 was issued in their name. Likewise, S.No.134/A in the same village belonged to Sanga Konar exclusively and patta was issued in his favour vide Patta No.30. Sanga Konar died leaving behind his three sons namely Lakshmana Konar, Palavesa Konar and Puthiyava Konar and their names were included in place of Sanga Konar in the joint patta. Said Lakshmana Konar and Puthiyava Konar died issueless and said Palavesa Konar died leaving behind his son Subbiah Konar who is the petitioner's father and his father's name was included in Patta No.9 along with other pattadhars. Likewise, Patta No.30 was changed in the name of Lakshmana Konar and petitioner's father Subbiah Konar.



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5.While that being so, the Government acquired a portion of the land in S.Nos.132/2 & 133 and subdivided the same as S.Nos. 132/2A & 133/1, respectively and a separate Patta No.181 was issued in respect of S.No.132/2 and the remaining two properties continued to be in Patta No.9 and now new Patta Nos.287 and 288 were assigned. Further, S.No.134/A was changed as S.No.134/1 and during UDR Scheme wrong entries were made in the revenue records in respect of the name of pattadhars with regard to the aforesaid properties. On knowing the same, the petitioner's brothers approached the Tahsildar, Palayamkottai, who after due enquiry ordered to include their name in the patta vide proceedings in D.T.R. 827/95-96 dated 25.09.1995 and their names were included in Patta Nos.287, 288 & 164. However, the Tahsildar failed to delete the names of the persons whose names were wrongly entered in the revenue records as pattadhars during UDR. Thereafter, the petitioner filed a petition dated 08.06.2022 before the respondent to delete the names of the persons whose names have been wrongly entered during UDR scheme and also requested to include his name and his sisters' names as Co-Pattadhars along with his brothers' names. On receipt of the petitioner's petition, the respondent called for a report from the Tahsildar vide his proceedings O.Mu.Ka2/21492/2022 datd 10.06.2022. Pursuant to the same, the



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Tahsildar obtained a statement from the petitioner dated 10.06.2022.

Thereafter, there is no progress and hence, the present petition.

6.The learned Additional Government Pleader appearing for the respondent would submit that the respondent is ready to complete the enquiry on the petitioner's petition and pass appropriate orders within the period to be prescribed by this Court.

7.In view of the aforesaid submission, this Court, without expressing any opinion on the merits of the matter, directs the respondent to complete the enquiry in respect of the petitioner's petition / representation dated 08.06.2022 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of sixteen [16] weeks from the date of receipt of a copy of this order.

8.The Writ Petition stands disposed of, with the above direction. There shall be no order as to costs.

01.02.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To
The District Revenue Officer,
Collectorate Office, Kokirakulam,
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V.BHAVANI SUBBAROYAN, J.

MR

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