



W.P.(MD)No.2473 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED 07.02.2024

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.2473 of 2024

Uma Annamalai

...Petitioner

/Vs./

1.The Additional Chief Secretary and
Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai – 600 005.

2.The District Revenue Officer,
Tenkasi District.

3.The Revenue Divisional Officer,
Tenkasi.

4.S.Shanmugam

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 3rd respondent to dispose the proceedings in Na.Ka.A4/322/2020, which is the consequential proceedings of the order dated 30.09.2017 passed by the 1st respondent in KA6546/2017 regarding the land comprised in Survey no. 562/3 (Old S.No. 257-264 part), South Kadayam Village, Ambasamudram Taluk, Tenkasi District within a time stipulated by this Court.



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For Petitioner : Mr.S.A.Ganapathyraman

For Respondents : Ms.K.Christy Thebaral (R1 to R3)

Addl. Govt. Pleader

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the 3rd respondent to dispose the proceedings in Na.Ka.A4/322/2020, which is the consequential proceedings of the order dated 30.09.2017 passed by the 1st respondent in KA6546/2017 regarding the land comprised in Survey no. 562/3 (Old S.No. 257-264 part), South Kadayam Village, Ambasamudram Taluk, Tenkasi District within a time stipulated by this Court.

2. According to the petitioner, the subject property is an ancestral property. In the lifetime of the petitioner's father, based on an oral partition between him and his only brother, all the properties have been bequeathed to him. Since then, the father of the petitioner was in possession and enjoyment of the same as an absolute owner. He sold a small portion of the land measuring to an extent of 2.5 cents in the subject property to one Natarajan vide a registered sale deed. While this being so, the fourth respondent herein has sent a letter to the Tahsildhar stating that the subject property is a poramboke land and it is required for the Panchayat and he has also filed a petition before the



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Sub Collector of Tirunelveli District not to issue patta for the subject property, which was also dismissed on 11.05.2015 after a detailed enquiry. Aggrieved over the same, the fourth respondent filed an appeal before the second respondent, which was also dismissed on 28.02.2017, as against which, the fourth respondent preferred a revision petition before the first respondent challenging the concurrent findings of the aforesaid authorities. The first respondent remanded the matter back on 30.09.2017 to the third respondent to conduct a fresh enquiry, which is still pending before the third respondent. Hence, the present writ petition.

3. The learned Additional Government Pleader appearing for the official respondents would submit that the respondents will dispose the pending proceedings in accordance with law within the time stipulated by this Court.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents. Notice to the fourth respondent is dispensed with, since no adverse order is going to be passed against him in this writ petition.



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5. In view of the above said submission, this Court, without expressing any opinion on the merits of the matter, directs the respondents to dispose of the proceedings in Na.Ka.A4/322/2020, which is the consequential proceedings of the order dated 30.09.2017 passed by the 1st respondent in KA6546/2017 regarding the land comprised in Survey No.562/3 (Old S.No. 257-264 part), South Kadayam Village, Ambasamudram Taluk, Tenkasi District, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ Petition stands disposed of. No costs.

07.02.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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TO:-

- 1.The Additional Chief Secretary and
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V.BHAVANI SUBBAROYAN, J.

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Order made in
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