



WP.(MD)No.20998 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2024

CORAM

THE HONOURABLE **MS.JUSTICE P.T.ASHA**

WP.(MD)No.20998 of 2024

Arumugam

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Pudukkottai.
- 2.The District Revenue Officer,
Office of the District Revenue Office,
Pudukottai, Pudukottai District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Pudukottai, Pudukottai District.
- 4.The Tahsildar,
Thirumayam Taluk Office,
Thirumayam, Pudukottai District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, to direct the 3rd respondent to dispose of petitioner application seeking for transfer of patta in petitioner name in respect of the properties comprised in S.Nos. 564/3, 564/4, 564/5 situated at Thirumayam Village his represented dated 05.08.2024 as expeditiously as possible and within the time stipulated by this Court.



WP.(MD)No.20998 of 2024

For Petitioner : Mr.A.Shajahan

For Respondents : Mr.D.S.Nedunchezian,
Government Advocate.

ORDER

The petitioner has submitted a representation dated 05.08.2024 seeking orders for transferring the patta in his name. The petitioner would submit that the property comprised in S.No.564/3 measuring an extent of 08.50 ares, S.No.564/4 measuring an extent of 08.50 ares and S.No.564/5 measuring an extent of 0.75.5 ares was his ancestral property. During UDR survey, instead of mentioning the petitioner's great grandfather Kalliyar's name, one Ganesa Ambalam's name has been mentioned in the revenue records and patta has also been granted in favour of the said Ganesa Ambalam in respect of the property which is covered in patta No.276. Taking advantage of this wrong entry, Ganesa Ambalam has created encumbrances. He had died leaving behind his legal heirs.

2.The petitioner's father had submitted an application to the second



WP.(MD)No.20998 of 2024

respondent to cancel this patta standing in the name of the deceased Ganesa Ambalam. On receipt of such request, the third respondent had issued notice to all the parties concerned by stating that he would be holding an enquiry on 03.01.2023. All the legal heirs of Ganesa Ambalam did not attend and had also not produced any documents. Subsequently, the enquiry was postponed to 21.02.2023 and on that day the legal heirs of Ganesa Ambalam attended and have sought an adjournment. The matter was adjourned to 14.03.2023 and on the said date once again the legal heirs of Ganesa Ambalam sought an adjournment. Thereafter, the third respondent has not proceeded with the matter. Therefore, the present writ petition has been filed.

3.Heard the learned counsel on either side.

4.Having initiated the enquiry, the third respondent is duty bound to complete the enquiry and pass orders. This is public duty that has been cast on him. Taking into account of the above, a Mandamus is issued to the third respondent to conclude and pass orders on the enquiry which has been commenced by initial notice dated 20.12.2022 in Na.Ka.No.A4/8988/2021. The petitioner has sent a reminder



WP.(MD)No.20998 of 2024

representation on 05.08.2024 as well. Therefore, this writ petition is allowed and the third respondent is directed to dispose of the representation as prayed for, within a period of four weeks from the date of receipt of a copy of this order. No costs.

04.09.2024

Index:Yes/No
Internet:Yes/No
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To

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WP.(MD)No.20998 of 2024

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WP.(MD)No.20998 of 2024

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