



W.P.(MD) No.21413 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.21413 of 2024

Sujatha

.. Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Theni District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Theni District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Periyakulam,
Theni District.
- 4.The Tahsildar,
Periyakulam Taluk,
Theni District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent No. 2 to expeditiously dispose of the Review filed by the petitioner, dated



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30.07.2024 against the executive order passed by the respondent No.3 in Na.Ka.No.1131/2024/A1, dated 24.07.2024 by providing personal opportunity to the petitioner in accordance with law within the time stipulated by this Court.

For Petitioner : M/s.Ramya

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

A mandamus is filed seeking to dispose of a review petition filed by the petitioner on 30.07.2024.

2. The petitioner's grand-father who was a freedom fighter has been assigned lands vide DKT.No.139/73 and issued patta in Patta No. 1248 for an extent of 3.07 acres in Survey No.2585 in Genguvarpatti Village, Periyakulam Taluk, Theni District. This assignment was made on 31.07.1963. The petitioner's father was one of the legal heirs of the late.Katachi Chettiyar who died on 03.05.2003. Besides the petitioner's father, the said Katachi Chettiyar had 3 more sons and a daughter. On the demise of the said Katachi Chettiyar, the revenue records were mutated



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in the name of the above legal heirs including the petitioner's father.

Thereafter, the petitioner's father and others had moved out of the village to various places for eking out their livelihood.

3. In this situation, the 4th respondent appears to have illegally changed the revenue records in the name of Kamachi Chettiyar s/o Gurusamy Chettiyar instead of Kamatchi Chettiyar s/o Surliyandi Chettiyar. This transfer was very clandestinely done. After the petitioner's father had died and they had obtained right to enjoy the property, they had made necessary applications and obtained information that illegal corrections obeyed by the 4th respondent to get the patta, revenue records transferred in his name. The said Kamatchi Chettiyar s/o Gurusamy Chettiyar was a person who was not in existence at all. Till fasli 1396 and 1397, the name of the Kamatchi Chettiyar s/o Gurusamy Chettiyar was shown and it is only thereafter that the illegal change has been made without notice to the petitioner. Since no action has been taken, the petitioner had filed a writ petition in W.P.(MD)No.28642 of 2023 seeking an enquiry and the same was disposed off by an order, dated 05.12.2023



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directing the 3rd respondent to consider and dispose of the petition on merits within a period of twelve weeks. Despite the aforesaid order which was forwarded to the 3rd respondent, no action has been taken. Therefore, the petitioner has come forward with this writ petition.

4. Considering the limited request made by the petitioner, namely to fix a time limit for disposing of the review, a mandamus is issued to the 2nd respondent to consider the review filed by the petitioner, dated 30.07.2024 and pass orders within a period of twelve (12) weeks from the date of receipt of copy of this order.

5. With the above directions, this Writ Petition stands allowed. No costs.

09.09.2024

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

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P.T.ASHA, J.

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