



W.P(MD)No.22884 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T.ASHA

W.P(MD)No.22884 of 2024

Subashini

... Petitioner

Vs.

1.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3.The Tahsildar,
Rajapalayam Taluk,
Virudhunagar District.

4.K.S.Ravichandran

5.K.S.Ramakrishnan

6.K.S.Ramasubramanian

... 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 complete the proceedings in Na.Ka.A5/E-980279/2023, dated 21.08.2024



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within a stipulated time fixed by this Court and pass such other or further orders as this Court.

For Petitioner : Mr.D.Rameshkumar

For R-1 to R-3 : Mr.P.Thambidurai
Government Advocate

ORDER

The present Writ Petition is filed for a Mandamus seeking for a direction to the first respondent to complete the proceedings in Na.Ka.A5/E-980279/2023, dated 21.08.2024.

2. The case of the petitioner is that the petitioner's father-in-law's brother purchased a property situated in T.S.No.49 by way of a registered sale deed in Document No.2388/1957 and later, the said property was sub divided into T.S.No.49/1 and 49/2. Accordingly, T.S.No.49/2 was allotted to the petitioner's father-in-law. After his demise, the petitioner's husband enjoyed the said property in a peaceful manner. On 03.10.2010, out of love and affection, the petitioner's husband executed a settlement deed in favour of the petitioner. Till date, the petitioner is in peaceful possession and enjoyment. While so, the



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fourth respondent in order to grab the said property, filed a suit in O.S.No.1 of 2012 before the Additional Sub Court, Srivilliputhur for the relief of declaration and permanent injunction against the petitioner and the petitioner's husband. The learned Subordinate Judge dismissed the said suit with the finding that the document is an invalid document.

3. During the pendency of the above said suit, the fourth respondent mutated the revenue records and included his name as well as the respondents 5 and 6 names as joint pattatharar for S.Nos.49/2 and 50/1. Then the petitioner approached the third respondent to cancel the names of the respondents 4 to 6 herein by way of RTI. As per the recommendation made by the third respondent, the second respondent rejected the petitioner's request. Being the influential person in that locality, the fourth respondent exerted pressure on the revenue officials and prevented them from acting freely. This can be noticed from the summons issued by the first respondent, dated 21.08.2024 despite a Civil Court's order. Hence, the present writ petition.

4. Heard the learned Counsels on either side.



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5. Since the petitioner has been heard and her additional representation also received as represented, on instructions by the learned Government Advocate appearing for the respondents, orders will be passed within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition stands allowed, accordingly. There shall be no order as to costs.

26.09.2024

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

To

- 1.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
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- 3.The Tahsildar,
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P.T.ASHA, J.

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