



W.P.(MD)No.28041 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.28041 of 2024

1.AL.Nagarajan

2.D.Shanmuganathan

... Petitioners

Vs.

1.The District Collector,
Office of the District Collector,
Sivagangai District.

2.The District Revenue Officer,
Office of the District Revenue Office,
Sivagangai District.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Devakottai,
Sivagangai District.

4.The Tahsildar,
Thirupathur Taluk Office,
Thirupathur,
Sivagangai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to dispose of petitioner's application seeking for removal of Karuppan Chettiyan name from A



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Register in respect of the properties comprised in S.No.16/3 to an extent of 45.50 cents situated at Sirukoddal Patty Thiruppathur Taluk, Sivagangai District by considering the petitioner's representation, dated 05.11.2024 as expeditiously as possible and within the time limit stipulated by this Court.

For Petitioner : Mr.A.shajahan

For Respondents : Mr.M.Muthumanikkam
Government Advocate

ORDER

The writ petition has been filed for a direction to the second respondent to dispose of the petitioner's application seeking for removal of the name of Karuppan Chettiyar from A Register in respect of the properties in S.No.16/3 to an extent of 45.50 cents at Sirukoddal Patty Village, Thiruppathur Taluk, Sivagangai District, by considering the petitioner's representation, dated 05.11.2024.

2. The properties in S.Nos.16/1, 16/3 and 16/5B to an extent of 55.50 cents, 45.50 cents and 67 cents, respectively, were jointly purchased by the petitioners along with the second respondent vide registered Document NO. 3358 of 2021. The petitioners' vendors were issued with patta for the aforesaid properties. In respect of S.No.16/3 to an extent of 45.50 cents at Sirukoddal



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Patty Thiruppathur Taluk, Sivagangai Distict, during UDR Survey, the name of Karuppan Chettiyar was wrongly mentioned in A Register. According to the petitioners, the said Karuppan Chettiyar had no right to the said survey number. The petitioners therefore filed an application to the fourth respondent to rectify the error and to remove the name of Karuppan Chettiyar from the A Register. The fourth respondent on receipt of the report from Village Administrative Officer and Revenue Inspector recommended the third respondent by his proceedings, dated 02.02.202 to remove the name of Karuppan Chettiyar from A Register. The third respondent after receipt of the Tahsildar's report, recommended the second respondent vide his proceedings, dated 09.02.2024 to remove the name of Karuppan Chettiyar from A Register. Inspite of the recommendations of the third respondent, second respondent did not pass any orders. The petitioners therefore sent a detailed representation to the second respondent on 05.11.2024 to pass orders on his application. As the second respondent did not take further action in pursuance of the petitioners' application, the petitioners filed the above writ petition for the aforesaid relief.

3. The learned Government Advocate for the respondents, on instructions, submitted that earlier, a communication was sent to the petitioners to produce necessary documents mentioned therein. As the petitioners did not



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submit the documents, the petitioners' application was not processed.

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4. The learned counsel for the petitioners submitted that the petitioners would submit requisite documents within a week and therefore, a direction may be issued to the second respondent to dispose of the application within a reasonable time stipulated by this Court.

5. Heard both sides and perused the materials placed on record.

6. From the communication of the second respondent, dated ..04.2024, it is seen that the petitioners were called to submit certain documents mentioned therein. The petitioners admittedly till date had not submitted the said documents. The petitioners are therefore directed to submit the documents as called for in the communication, dated ..04.2024 within a week from the date of receipt of a copy of this order. On receipt of the requisite documents, the second respondent shall pass orders on merits and in accordance within a law within a period of 8 weeks thereafter.



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7. Accordingly, the writ petition stands disposed of. No costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
SN

To:

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- 4.The Tahsildar,
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N.MALA, J.



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