



W.P(MD)No.31245 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.31245 of 2023

Mariyammal

... Petitioner

-Vs-

1.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

2.Raja
3.Anand
4.Muniyasamy
5.Selvakumar
6.Thangapalam

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the first respondent to dispose the proceedings in Na.Ka.No.T546893/2021-R dated 27.09.2021 in S.No.146/1 admeasuring 3.90 Acres situated at Mookaiyur Village, Kadaladi Taluk, Ramanathapuram District and consequently, direct the respondent to consider the petitioner's representation dated 31.10.2023.



W.P(MD)No.31245 of 2023

For Petitioner : Ms.L.Juliet Caroline
For Respondents : Mr.D.S.Nedunchezhan
Govt. Advocate (for R1)

ORDER

The writ petition is filed seeking for issuance of a Writ of Mandamus directing the first respondent to dispose the proceedings in Na.Ka.No.T546893/2021-R dated 27.09.2021 in S.No.146/1 admeasuring 3.90 Acres situated at Mookaiyur Village, Kadaladi Taluk, Ramanathapuram District and consequently, direct the first respondent to consider the petitioner's representation dated 31.10.2023.

2. Mr.D.S.Nedunchezhan, learned Government Advocate takes notice for the first respondent. Considering the nature of the order proposed to be passed, protecting the interest of the respondents 2 to 6, notice to them is dispensed with. By consent, this writ petition is taken up for final disposal at the admission stage itself.



W.P(MD)No.31245 of 2023

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3. The learned counsel appearing for the petitioner would submit that the petitioner's grandfather was having ancestral property to an extent of 90 cents in S.No.146/1 situated at Mookaiyur Village, Kadaladi Taluk, Ramanathapuram District. After his demise, pattas were mutated in the name of the petitioner's father and his brother respectively to an extent of 45 cents each. After death of his father, the above allotted properties vested to the petitioner and her legal heirs. However, while UDR scheme, 40 cents out of 45 cents were wrongly included to the adjacent land owner, by name, Anthonysamy Nadar. Hence, the petitioner filed the petition before the Revenue Divisional Officer, Paramakudi and he advised to file the petition before the first respondent. In the meantime, the said Anthonysamy Nadar passed away. Hence, the petitioner filed the proceedings before the first respondent against the respondents 2 to 6 on 27.09.2021 to rectify the mistake done in UDR scheme. After notice, there is no progress in the said proceedings. Hence, the petitioner sent a representation to the first respondent on 31.10.2023 to complete the proceedings, however, the said representation is also pending. Hence, the petitioner has filed the present writ petition seeking the above stated relief.



W.P(MD)No.31245 of 2023

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4. It is seen that the petitioner has relied upon various documents, such as, 'A' Register, death certificate and encumbrance certificate to show his bonafide. Therefore, considering the limited scope of the prayer sought for in this writ petition, without going into the merits of the claim made by the petitioner in this Writ Petition, the first respondent is directed to complete the enquiry and pass appropriate orders on the proceedings in Na.Ka.No.T546893/2021-R dated 27.09.2021 on merits and in accordance with law, after giving notice to the interested parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands disposed of.

No costs.

02.01.2024

Index : Yes/No

Internet : Yes/No

skn

To

1. The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

2. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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W.P(MD)No.31245 of 2023

V.BHAVANI SUBBAROYAN, J.

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W.P(MD)No.31245 of 2023

02.01.2024