



W.P.(MD)No.1975 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.1975 of 2025

M.Murugeswari

... Petitioner

Vs.

1. The District Revenue Officer,
Viruthunagar,
Viruthunagar District.

2. The Revenue Divisional Officer-Cum-Sub Collector,
Satchiyapuram,
Sivakasi,
Virudhunagar District.

3. The Tashildar,
Sivakasi,
Virudhunagar District.

4. The Village Administrative Officer,
Enjar Village,
Sivakasi,
Virudhunagar 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 expedite the enquiry with regarding to the Patta Cancellation Proceedings and pass the suitable orders based on the representation letter dated 15.07.2024 in respect of the land in Survey No. 1194/3 and Survey No. 1565/3, Enjar Village, Sivakasi, Virudhunagar District within and time frame fixed by this Honble Court to the proceedings in Na.Ka. A1/B9/2024.



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For Petitioner : Mr.R.Jagadeeshwaran
For Respondents : Mr.A.Kannan
Additional Government Pleader

ORDER

The writ petition is filed for a writ of mandamus directing the second respondent to expedite the enquiry with regard to the Patta Cancellation Proceedings and pass suitable orders in the petitioner's representation dated 15.07.2024 within a time frame to be fixed by this Court.

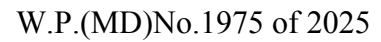
2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The subject properties in S.No.1194/3 and 1565/3 in Enjar Post, Sivakasi Taluk, Virudhunagar District originally belonged to the petitioner's ancestor Veerapthira Thevar and his brother Mayandi Thevar. In 2013, the petitioner's mother executed a gift deed in favour of the petitioner and his sister in respect of the said properties. While so, the petitioner came to know that the name of one Sivagurunatha Moopanar was wrongly mentioned in Patta No.491 in S.No.1194/3 and the name of one Subbiah Pillai was wrongly mentioned in Patta No.518 in S.No.1565/3. During UDR scheme, taking advantage of the wrong entry, one Saravana Raja created forged documents and obtained patta for the said properties. The petitioner therefore filed an application before the



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Revenue Divisional Officer, Sivakasi, Virudhunagar District on 13.07.2018 to cancel the forged patta standing in the name of Saravanaraja. The Revenue Divisional Officer, on due enquiry, passed an order in Na.Ka.No.A2/5496/2019 dismissing the application. The petitioner challenged the said order in WP.No. 19258 of 2020 and the same was disposed of by this Court directing the parties to approach the civil court to decide the title. This order was challenged before the Division Bench in WA(MD)No.1180 of 2021 and the appeal was allowed. The Hon'ble Division Bench modified the order passed by the writ court by setting aside the order passed by the District Revenue Officer and subsequently directed the parties to approach the civil court. Though the said Saravanaraj was aware of the decision of the Hon'ble Division Bench, he suppressed the said fact and transferred the properties in favour of third party instead of approaching the civil court. Patta was transferred on 26.06.2023, and survey numbers were subdivided as 1194/3A, 1194/3B, 1194/3C, 1194/3D, 1194/3E, 1194/3F, 1565/3A, 1565/3A1, 1565/3A2, 1565/3A3 and 1565/3A4. The petitioner therefore submitted a representation to the second respondent on 19.07.2024, to cancel the patta as the same was issued in violation of the order of the Hon'ble Division Bench. The petitioner's representation was taken on file by the second respondent and notice was issued on 29.07.2024. The third respondent conducted an enquiry and submitted a report to the second respondent. However, thereafter no fruitful action is taken. Therefore, the petitioner filed the



4. It is seen that the petitioner's representation dated 15.07.2024 is pending before the second respondent from July 2024. Though the third respondent completed the enquiry and submitted a report before the second respondent, the second respondent is yet to pass orders in the said proceedings. Therefore, I am inclined to issue a direction. Accordingly, the second respondent is directed to conclude the proceedings and pass orders on merits and in accordance with law after affording opportunity to the petitioner and all interested persons within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the aforesaid direction, the Writ Petition stands disposed of. No costs.

24.01.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
CM



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To:

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N.MALA, J.

CM

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