



W.P.(MD)No.1996 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.1996 of 2025

AL.AR.SM.Narayana Chettiyar

... Petitioner

Vs.

1. The District Collector,
Office of the District Collectorate,
Thanjavur,
Thanjavur District.

2. The Revenue Divisional Officer,
Thanjavur,
Thanjavur District.

3. Mariyammal

4. Sanjeevi Robert Kennedy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd respondent to dispose of the Appeal Proceedings dated 26.02.2021 initiated by the petitioner which is pending on the file of the 2nd respondent within a stipulated time and remove the name of the legal heirs of one Sanjeevi Udaiyar and to grant patta in the name of the petitioner in S.No.248, 249,253 situated in Nilagiri therku thottam, Thanjavur Taluk, Thanjavur District.

For Petitioner

: Mr.R.Maheswaran

For R1 & R2

: Mr.R.Raghavendran

Government Advocate



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ORDER

The writ petition is filed for a Writ of Mandamus directing the second respondent to dispose of the Appeal Proceedings dated 26.02.2021 within a stipulated time and remove the name of the legal heirs of one Sanjeevi Udaiyar and to grant patta in the name of the petitioner in S.Nos.248, 249 and 253 in Nilagiri therku thottam, Thanjavur Taluk, Thanjavur District.

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

3. The subject property to an extent of 22 acres and 22 cents was purchased by the petitioner's great grandfather namely, AL.AR.Ramasamy Chettiyar, then Jamindar of Devakottai Jameen, under a registered sale deed in Doc.No.291/1923. Ever since the purchase, the petitioner's great grandfather and after him, the petitioner's family members were in possession and enjoyment of the property. While so, one Sanjeevi Udaiyar, who had no title to the subject property, executed a settlement deed in Doc.No.2068/1946 in respect of his properties, including the subject properties to an extent of 5 acres



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and 57 cents out of total extent of 22 acres and 22 cents. The legal heirs of Sanjeevi Udaiyar changed the patta in their names in respect of the subject property in Patta Nos.387, 388, 389 and 390. The petitioner therefore, preferred an appeal on 26.02.2021, to the second respondent to remove the names of the legal heirs of the Sanjeevi Udaiyar and to grant patta in the name of the petitioner for the subject properties. The second respondent in the appeal issued summons on 25.07.2022 and 28.03.2022 and thereafter, no action was taken. Therefore, the petitioner sent a representation on 21.06.2024, and as no action was taken even thereafter, the petitioner filed the above writ petition for the aforesaid relief.

4. It is seen that the petitioner's appeal dated 26.02.2021 is pending before the second respondent without any progress for about four years. Under the circumstances, I think it appropriate to issue a direction. Accordingly, the second respondent is directed to dispose of the petitioner's appeal on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to state that the respondents shall give due opportunity of hearing to the petitioner and all the interested persons before passing the final order on the petitioner's appeal.



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5. With the above directions, this writ petition is disposed of. No costs.

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

To:

1. The District Collector,
Office of the District Collectorate,
Thanjavur,
Thanjavur District.
2. The Revenue Divisional Officer,
Thanjavur,
Thanjavur District.



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N.MALA, J.

CM

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