

W.P.(MD)No.23133 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.23133 of 2023

A.Singaravel

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Trichy Division,
Trichy.

3.The Thasildar,
Thiruverumbur Taluk,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to send the records relating to the assignment order Tharkas No.14/1400, dated 20.06.1991 to the second respondent within a time frame and consequently, directing the second respondent to dispose the petitioner's appeal, dated 08.05.2017 within a time frame fixed by this Court.



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For Petitioner : Mr.I.Velpradeep

For Respondents : Mr.R.Raghavendran
Government Advocate

ORDER

The writ petition has been filed for a direction to the third respondent to send the records relating to the assignment order Tharkas No.14/1400, dated 20.06.1991 to the second respondent and consequently, directing the second respondent to dispose the petitioner's appeal, dated 08.05.2017 within a time frame fixed by this Court.

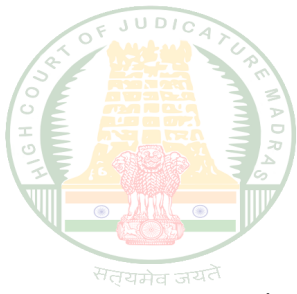
2. With the consent of both parties, the writ petition is taken up for final disposal.

3. The property in S.No.177/6, to an extent of 2 acre 46 cents, originally belonged to the Government and classified as Punja Tharisu. The petitioner's brother was assigned with the above said lands by order Tharkars No.14/1400, dated 20.06.1991, and patta was also issued in favour of the petitioner's brother in Patta No.611, by the third respondent. As there was omission in the patta, the petitioner's brother filed an appeal before the second respondent to rectify the omission. The second respondent vide order, dated 19.07.2017, rectified the



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omissions. While so, the petitioner's brother vide settlement deed, dated 28.05.2015, settled the said lands in favour of the petitioner. The petitioner in pursuance of the settlement deed applied for transfer of patta in his name to the third respondent. The petitioner thereafter came to understand that the lands were classified as Tharisu without notice to him. The petitioner therefore filed an appeal to the second respondent to rectify the error in classification and to restore the patta in his name. Based on the petitioner's representation, the second respondent directed the third respondent to produce the details of the assignment Tharkas No.14/1400, dated 20.06.1991 vide communications, dated 22.03.2019, 03.07.2019, 10.09.2019, 17.03.2020 and 30.09.2021. Even after the communications, the third respondent did not take any steps to furnish the details. On 08.03.2022, the first respondent directed the second respondent to dispose of the petitioner's application by calling the records relating to the Tharkas No.14/1400, dated 20.06.1991. The third respondent for reasons best known to him, sent wrong particulars of Tharkas No.14/1990 instead of Tharkas No.14/1400, dated 20.06.1991. The petitioner therefore sent a representation to the third respondent on 11.08.2023, to send the correct particulars to the second respondent. As the third respondent did not consider the petitioner's representation, the petitioner filed the above writ petition for the aforesaid relief.



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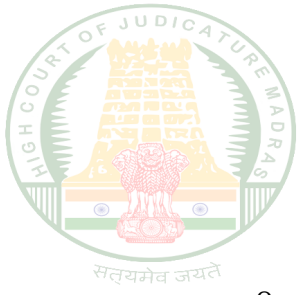
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4. The learned Government Advocate for the respondents, on instructions, submits that the third respondent has already sent the particulars called for by the second respondent and therefore, a part of the prayer of the petitioner has been complied with.

5. The learned counsel for the petitioner submits that in view of the fact that the third respondent has already sent the particulars to the second respondent, a direction may be issued to the second respondent to dispose of the petitioner's appeal within a time frame fixed by this Court.

6. Heard both sides and considered the respective submissions.

7. As the third respondent has already sent the particulars called for by the second respondent, I deem it appropriate to issue a direction to the second respondent to dispose of the petitioner's appeal, dated 08.05.2017, within a period of 12 weeks from the date of receipt of a copy of this order.



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

06.01.2025

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

To:

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N.MALA, J.

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