



W.P.(MD)No.26763 & 8911 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)Nos.26763 of 2024 & 8911 of 2024

W.P.(MD)No.26763 of 2024

Ole Kristian Toubro
Abernyte Bungalow
Observatory Road,
Kodaikanal-624 101
Dindigul District
Represented by the General Power of Attorney,
S.Ganapthy Petitioner

/Vs./

The Revenue Divisional Officer,
Kodaikanal Division,
Kodaikanal,
Dindigul District. ... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to pass order in the petitioner's Appeal petition dated 27.02.2017 with regard to changing patta in T.S.No.30 for an extent of 2.15.0 Hectares situated at Kodaikanal Town, Dindigul District in the name of Ole Kristian Toubro.



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For Petitioner : Mr.R.R.Kannan
For Respondent : Mr.C.Satheesh
Additional Government Pleader

W.P(MD)No.8911 of 2024

Ole Kristian Toubro
S/o.S.K.Toubro
Larsen & Toubro Ltd.,
Abernyte Bungalow
Observatory Road,
Kodaikanal-624 101
Dindigul District
Represented by the General Power of Attorney,
S.Ganapthy Petitioner

/Vs./

- 1.The Director of Survey & Settlement
Department of Survey & Settlement
Chepauk,
Chennai-600 005.
- 2.The District Collector,
Dindigul District,
Dindigul.
- 3.The District Revenue Officer,
Dindigul District,
Dindigul.
- 4.The Revenue Divisional Officer,
Kodaikanal Division,
Kodaikanal,
Dindigul District.



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5. The Tahsildar,
Kodaikanal Taluk,
Kodaikanal,
Dindigul District.

6. Rajakumari Rajalakshmi Saiba

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to conduct enquiry and pass appropriate orders by transferring patta in the name of Ole Kristian Toubro with regard to landed property in T.S.No.30 for an extent of 2.03 hectares situated in Kodaikanal Town, Kodaikanal Taluk, Dindigul District as per the representation submitted on 11.01.2024.

For Petitioner	: Mr.R.R.Kannan
For R1 to R5	: Mr.C.Satheesh
	Additional Government Pleader
For R6	: Unserved

COMMON ORDER

These writ petitions are taken up for final disposal with the consent of the learned counsel on either side.

2. In W.P(MD)No.8911 of 2024, the petitioner seeks issuance of a Writ of Mandamus to direct the second respondent District Collector, Dindigul to conduct an enquiry and pass orders on the petitioner's



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application for transfer of patta pertaining to land in Survey No.30 measuring 2.03 hectares, Kodaikanal Town, Kodaikanal Taluk, Dindigul District and the petitioner has given a representation on 11.01.2024 seeking disposal of the said application.

3. In fact, the petitioner moved this Court in W.P.(MD)No.10546 of 2013 and by order dated 01.12.2022 this Court quashed the orders passed by the Director of Survey and Settlement, Department of Survey and Settlement, Chennai and directed the second respondent District Collector to conduct fresh enquiry and pass orders on merits, after hearing the writ petitioner. Subsequent to the said order, the District Collector has transferred the file to the Revenue Divisional Officer, Kodaikanal Taluk directing him to enquire into the matter being the competent authority and pass orders on the petitioner's application.

4. The grievance of the petitioner is that despite the matter being relegated to the fourth respondent Revenue Divisional Officer, no progress was made in the enquiry and therefore, the second respondent in W.P(MD)NO.26763 of 2024 has been filed for issuance of a Writ of



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Mandamus to expedite the proceedings pending on the file of the Revenue Divisional Officer, Kodaikanal Division, who is arrayed as sole respondent in the writ petition.

5. This Court, even as early as in 2022 had remitted the matter to the District Collector to pass orders on merits in accordance with law and despite the second respondent calling upon the fourth respondent to conduct enquiry and pass orders, there is no progress made. The petitioner has been waiting for several years to get relief on his application and therefore, a direction is issued to the fourth respondent In W.P(MD)No.8911 of 2024 and the sole respondent in W.P(MD)No. 27663 of 2024 to conclude the enquiry and pass orders on merits based on the petitioner's application dated 11.01.2024 regarding the original application pending before the Revenue Divisional Officer in Na.Ka.No. 581/2017/A2, dated 13.08.2024, within a period of four weeks from the date of receipt of a copy of this order, without seeking any further extension of time.



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6. With the above direction, these writ petitions are disposed of.

No costs.

Index : Yes / No
NCC : Yes / No
am

28.02.2025

To

1.The Director of Survey & Settlement
Department of Survey & Settlement
Chepauk,
Chennai-600 005.

2.The District Collector,
Dindigul District,
Dindigul.

3.The District Revenue Officer,
Dindigul District,
Dindigul.

4.The Revenue Divisional Officer,
Kodaikanal Division,
Kodaikanal,
Dindigul District.

5.The Tahsildar,
Kodaikanal Taluk,
Kodaikanal,
Dindigul District.



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P.B. BALAJI, J.

am

Order made in
W.P.(MD)Nos.26763 of 2024 &
8911 of 2024

Dated:
28.02.2025