



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.09.2015

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WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.16288 of 2015

R.Madasamy

... Petitioner

Vs.

1. The District Revenue Officer,
O/o.District Revenue Office,
Tirunelveli District.

2. Raja @ Ramasamy

... Respondents

This Writ Petition has been filed under Article 226 of Constitution of India praying for a Writ of Mandamus directing the District Revenue Officer, 1st respondent herein to dispose of the statutory revision in R.P.No.10 of 2013 on the file of the first respondent within a stipulated period.

For petitioner : Mr.S.Siva Thilakar

For R-1 : Mr.S.Kumar

Additional Government Pleader

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the first respondent herein to dispose of the statutory revision filed by the petitioner in R.P.No.10 of 2013 within a stipulated time.

2.The case of the petitioner is that there is a civil dispute between the petitioner and the second respondent and the civil case is pending in Second Appeal No.779 of 1993 before this Court. The petitioner has also obtained an order of interim injunction against the second respondent and others not to alienate or encumber the property which is a subject matter in Punjai Survey Nos.1065/2, 1071/2, 1072/17 and 1072/20 and Nanjay Survey Nos.1120/2F, 1120/21, 569/2, 592/3, 592/4 and 592/6. While the matter stood thus, the second respondent clandestinely included his name in the above survey numbers with the help of the Revenue Officials. Based on the inclusion of his name in the patta, he alienated the property to third parties. Aggrieved by the same, the petitioner filed an appeal before the Revenue Divisional officer as per the Patta Pass Book Act. But the same



was rejected vide proceedings in Na.Ka.No.A4/10019, dated 10.02.2012. Hence, the petitioner preferred statutory revision in R.P.No.10 of 2013 on the file of the District Revenue Officer. Since the said revision was not disposed of so far, the petitioner has come forward with the Writ Petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who takes notice for R-1. In view of the nature of order going to be passed in this Writ Petition, there is no need to issue notice to the second respondent.

4. Considering the submissions made by the learned counsel for the petitioner, without going into the merits of the case, this Court directs the first respondent to dispose of the Statutory Revision filed by the petitioner in R.P.No.10 of 2013, on merits and in accordance with law, by affording an opportunity of hearing to all the necessary parties, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (Per.Admn)

/True Copy/

Sub Assistant Registrar

To

The District Revenue Officer,
O/o.District Revenue Office,
Tirunelveli District.

+ 1 CC TO MR.S.SIVA THILAKAR, ADVOCATE IN SR NO. 52481

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 52891

PM

TE/NGM-SS/ 21/09/2015 2P/4C

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