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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.09.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD).No.16455 of 2015

R.Ramaraj ...Petitioner

Vs.

1.The Revenue Divisional Officer,
Aruppukkottai Taluk,
Virudhunagar District.

2.The Tahsildar,
Aruppukkottai Taluk,
Virudhunagar District. ...Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the first respondent to pass final orders in the petitioner's appeal Na.Ka.No.B4/5695/2014 pending on the file of the first respondent within the time framed by this Court.

For petitioner : Mr.I.Suthakaran
For Respondent s : Mr.M.Murugan,
Government Advocate

ORDER

This Writ Petition has been filed praying for a Writ of Mandamus directing the first respondent to pass final orders in the petitioner's appeal in Na.Ka.No.B4/5695/2014 pending on the file of the first respondent within a stipulated time.

2. Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

3. By consent, the Writ Petition itself is taken up for final disposal.

4. The case of the petitioner is that the petitioner purchased properties in S.No.229/30 situated at Kalayar Karisalkulam Village, Aruppukkottai Taluk, Virudhunagar District measuring to an extent of 2268 sq. ft. from one Azhagarsamy, son of Ramasamy Naicker, vide sale deed dated 05.08.2010 in document No.2492/2010. From the date of purchase, the petitioner is in possession and enjoyment of the same. Thereafter, the petitioner made an application to the second respondent to survey and demarcate the property in order to get patta in his name and he has also paid necessary fee for that purpose. But the second respondent rejected the application of the

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petitioner vide order, dated 22.09.2014. Challenging the same, the petitioner has filed an appeal before the first respondent in Na.Ka.No.B4/5695/2014. In the said appeal, enquiry was conducted by the first respondent on various dates (ie) on 03.11.2014, 20.01.2015, 06.04.2015 and 22.06.2015 and finally, enquiry was completed on 22.06.2015. Even thereafter, the first respondent has not passed any order in the appeal filed by the petitioner. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5.Considering the submissions made by the learned counsel for the petitioner, this Court is constrained to pass the following order:

Without going into the merits of the averment made in the Writ Petition, the first respondent is directed to pass final orders in the appeal filed by the petitioner in Na.Ka.No.B4/5695/2014 by affording an opportunity of hearing to all the necessary parties, on merits and in accordance with law, within a period of twelve 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(RTI)

/True Copy/

Sub-Assistant Registrar

To
1.The Revenue Divisional Officer,
Aruppukkottai Taluk,
Virudhunagar District.

2.The Tahsildar,
Aruppukkottai Taluk,
Virudhunagar District.

+One cc to Mr.I.Suthakaran, Advocate, SR.No.53501
+One cc to The Special Government Pleadeder, SR.No.53811
pm
RL/5 c- 28/9/2015

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11.09.2015