



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.09.2015

WEB COPY

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THE HONOURABLE **MR.JUSTICE R.SUBBIAH**

W.P(MD) .No.16710 of 2015

Pala.Lakshmanan

...Petitioner

Vs.

1.The District Revenue Officer,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Karaikudi,
Sivagangai 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 dispose of the petitioner's appeal, dated 31.03.2015 within the period stipulated by this Court.

For petitioner : Mr.S.Venkatesan

For Respondents : Mr.S.Kumar

Additional Government Pleader

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the first respondent to dispose of the petitioner's appeal, dated 31.03.2015 within a stipulated period.

2. Mr.S.Kumar, learned Additional Government Pleader 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 he is residing in Melakudiyiruppu, Thalakkavur, Managiri Post, Thiruppathur Taluk, Sivagangai District. The property in S.No.8/5 measuring to an 4 acres and 36 cents at Keeranipati Village, Karaikudi Taluk, Sivagangai District stood in the name of the petitioner's paternal uncle C.Natchiappan Ambalam and he died on 05.07.1951. The



petitioner is the only legal heir of his father and his paternal uncle. But, after the demise of the petitioner's paternal uncle, the Revenue Authorities without issuing any notice, changed the patta in respect of the above said property in favour of a third party. Hence, the petitioner filed an appeal before the first respondent on 31.03.2015. But the said appeal is still pending without any consideration. 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, without going into the merits of the averments made in the Writ Petition, the first respondent is directed to dispose of the petitioner's appeal, dated 31.03.2015, on merits and in accordance with law, by affording an opportunity of hearing to all the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the fourth respondent to consider the same purely on merits.

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

Sd/-

Assistant Registrar(Per Admn)

/True Copy/

Sub Assistant Registrar

To

1.The District Revenue Officer,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Karaikudi,
Sivagangai District.

+1cc to Mr.S.Venkatesan, Advocate Sr.No. 54286

+1cc to Spl.GOvernemnt Pleader Sr.No. 54776

pm

AA/JGB/13.10.2015/2p-5c

W.P (MD) .No.16758 of 2015
15.09.2015