



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.09.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD).No.17602 of 2015

M.Maheswari

...Petitioner

Vs.

1.The District Collector,
Pudukkottai District.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

...Respondents

Prayer:- This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the second respondent herein to expedite the proceedings in Na.Ka.No.4677/10/A6, dated 27.09.2010 and pass orders within the date fixed by this Court.

For petitioner	: M/s.Porkodi Karnan for M/s.Polax Legal Solution
For Respondents	: Mr.M.Murugan, Government Advocate

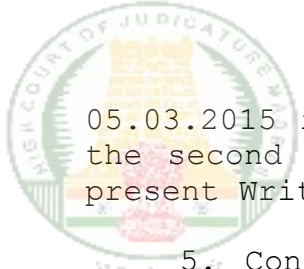
ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the second respondent herein to expedite the appeal proceedings in Na.Ka.No.4677/10/A6, dated 27.09.2010 and pass orders within a stipulated time.

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

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

4.In the affidavit it has been averred that the petitioner's father had purchased properties measuring to an extent of 50 cents and 30 cents in S.No.9(9), by way of registered sale deeds from one Muthusamy and Ganapandithan on various dates in the year 1984 and thereafter, he executed a registered thana settlement to the petitioner on 23.08.1999. From the said date onwards, the petitioner is in possession and enjoyment of the said properties and she is doing agricultural activities in the said lands. While the matter stood thus, the petitioner came to know that patta for the said lands was wrongly standing in the name of one Kamachi, who is not having any right over the property. Hence, the petitioner filed an appeal before the second respondent herein in the year 2010 in Na.Ka.No.4677/10/A6 to cancel the patta standing in the name of said Kamachi. The respondents had also filed their counter on



05.03.2015 itself. But till date, the said appeal is not disposed of by the second respondent. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the submission made by the learned counsel for the petitioner, without going into the merits of the matter, this Court directs the second respondent to dispose of the appeal filed by the petitioner in Na.Ka.No.4677/10/A6 on merits and in accordance with law by issuing notice to the said Kamachi and all other necessary parties and pass appropriate order, within a period of 12 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 second respondent to consider the same purely on merits.

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

Sd/-
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

pm

To

1.The District Collector,
Pudukkottai District.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

+one cc to The Special Government Pleader, SR.No. 58117

W.P (MD) .No.17602 of 2015
30.09.2015

CSL/AN-MP/12.10.2015
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