



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2015

CORAM:

THE HONOURABLE Mr.JUSTICE R.SUBBIAH

W.P. (MD) No.239 of 2015

L.Sundarraaj

... Petitioner

Vs.

1.The District Revenue Officer,
Tiruchirappalli.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Lalgudi Taluk,
Tiruchirappalli District.

3.The Thasildar,
Manachanallur Taluk Office,
Manachanallur Town,
Tiruchirappalli District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose of the appeal dated 10.11.2014 preferred by the petitioner within a time frame stipulated by this Court.

For Petitioner : Mr.J.Maria Roseline

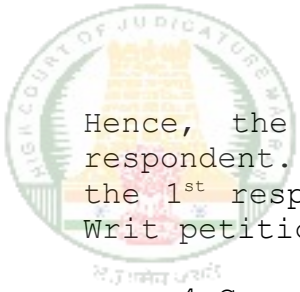
For Respondents : Mr.M.Murugan, G.A.

ORDER

This Writ petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the appeal dated 10.11.2014 preferred by the petitioner within a time frame.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

3.The case of the petitioner is that a property in Survey No.46/1, New Survey No.46/18 at Thiruvasi Village, Manachanallur Taluk, Tiruchirappalli District has been purchased by the petitioner from one T.Sellaiyan by way of a registered sale deed dated 11.09.2000 and subsequent to the sale of the said property, the wife of the said T.Sellaiyan had filed a suit in O.S.No.227 of 2008 against the petitioner before the District Court, Lalgudi. As the Civil Court has declined to grant an order of interim injunction, the title and possession of the property is with the petitioner. The petitioner has approached the respondents for change of patta. The 2nd respondent by a proceedings dated 18.01.2010 has ordered for grant of patta in favour of the petitioner. However, subsequently, by another proceedings dated 17.06.2011, without issuing any notice, the 2nd respondent has subdivided the property comprised in Survey No.46/1 as Survey Nos.153/3 and 153/4 and granted patta in respect of the petitioner as new Survey No.153/3.



Hence, the petitioner made an appeal dated 10.11.2014 before the 1st respondent. Since the said appeal has not been disposed of till date by the 1st respondent, the petitioner is before this Court with the present Writ petition.

4. Considering the limited prayer sought for in this Writ petition, without going into the merits of the matter, the 1st respondent is hereby directed to dispose of the appeal dated 10.11.2014 and pass appropriate orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The Writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Revenue Officer,
Tiruchirappalli.

2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Lalgudi Taluk,
Tiruchirappalli District.

3. The Thasildar,
Manachanallur Taluk Office,
Manachanallur Town,
Tiruchirappalli District.

+1cc to M/S.J.Maria Roseline, Advocate SR.No.51502
+1cc to The Special Government Pleader, Madurai. SR.No.51760

W.P. (MD) No.239 of 2015
02.09.2015

nbj

NS/AN-MP/16.09.2015 : 2P/6C