



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:28.11.2016

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CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.22838 of 2016
and
W.M.P (MD) No.16341 of 2016

C.Prithivirajan

... Petitioner

Vs.

1.The District Revenue Officer,
Tuticorin District.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Tiruchendur,
Tuticorin District.

3.The Tahsildar,
Taluk Office,
Tiruchendur,
Tuticorin District.

4.Joshuva
5.Trinishiya Anbarasi
6.Giftlin Jeba Arputham

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the District Revenue Officer to number the revision filed by the petitioner on 07.11.2016 against the proceedings in Na.Ka.No.A3/4351/2015, dated 30.09.2016 of the Revenue Divisional Officer, 2nd respondent herein and be directed to consider the same by any in-charge Officer in accordance with law, within a stipulated period.

For Petitioner

: Mr.S.Siva Thilakar

For R-1 to R-3

: Mr.V.Muruganandham,
Additional Government Pleader



ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 and 2. Since no order prejudicial to the interest of the respondent Nos.4 to 6 is going to be passed, notice to them is dispensed with.

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

3. The petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the District Revenue Officer to number the revision filed by the petitioner on 07.11.2016 against the proceedings in Na.Ka.No.A3/4351/2015, dated 30.09.2016 of the Revenue Divisional Officer, 2nd respondent and to dispose of the same in accordance with law, within a stipulated period.

4. According to the petitioner, originally patta in respect of the property in Survey Nos.344, 360/5, 354/1, 345/16 of Ammanpura Village, stands in the name of the petitioner and subsequently, it was transferred in the name of respondent Nos.4 to 6 by the Tahsildar. Against that order, he filed an appeal before the Revenue Divisional Officer and the same is also dismissed. Challenging the order of the Revenue Divisional Officer, the petitioner filed a writ petition before this Court in W.P(MD)No.20841 of 2016 and this Court vide order, dated 26.10.2016, dismissed the said Writ Petition and directed the petitioner to file a revision before the District Revenue Officer, within a period of two weeks. Pursuant to the order of this Court, the petitioner has also filed a revision before the District Revenue Officer on 07.01.2016, but at that time, there is no incumbent in the said Post. Subsequently, District Revenue Officer was appointed. But, so far, the Authority is not taking the revision on file. Hence, he has filed this Writ Petition.

5. Since pursuant to the order of this Court, the petitioner already filed a revision before the first respondent, the first respondent is directed to consider the revision filed by the petitioner, dated 07.11.2016, and dispose of the same, on merits and in accordance with law, after issuing notice to all the parties concerned, within a period of twelve weeks from the date of a copy of this order.



With the above direction, this Writ Petition is disposed of. No Costs. Consequently, connected Miscellaneous Appeal is closed.

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Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS)

To

1.The District Revenue Officer,
Tuticorin District.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Tiruchendur,
Tuticorin District.

3.The Tahsildar,
Taluk Office,
Tiruchendur,
Tuticorin District.

+1cc to Mr.S.Sivathilakar, Advocate SR.73410
+1cc to Spl. Government Pleader SR.73703

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