



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.12309 of 2017

S.Seetharaman

.. Petitioner

Vs.

1.The Revenue Divisional Officer,
Sivakasi west - 626124,
Virudhunagar District.

2.Tahsildar,
Srivilliputhur Taluk,
Virudhunagar District.

.. 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 respondent herein to pass orders on the petitioner's appeal dated 07.09.2015 seeking to cancel the wrong subdivision made by the second respondent herein vide No.TK8A.261/1421 dated 13.02.2012 in S.No.230/1D of Maharajapuram Village, Srivilliputhur Taluk, Virudhunagar District within a reasonable time as may specified by this Court.

For Petitioner : Mr.E.V.N.Siva

For Respondents : Mr.C.Selvaraj,
Special Government Pleader.

ORDER

The petitioner seeks a writ of mandamus to direct the first respondent to dispose of the petitioner's appeal dated 07.09.2015, seeking to cancel the wrong subdivision made by the second respondent in No.TK8A.261/1421 dated 13.02.2012 in S.No.230/1D, Maharajapuram Village, Srivilliputhur Taluk, Virudhunagar District, within a reasonable time.

2.Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents.

3.By consent of both the parties, this writ petition is taken up for hearing at the stage of admission itself.

4.Heard both sides.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The petitioner filed an appeal dated 07.09.2015 before



the first respondent against the subdivision made by the second respondent in respect of S.No.230/1D, Maharajapuram Village, Srivilliputhur Taluk, Virudhunagar District and the same is pending for a long time.

6.The learned Counsel for the petitioner would submit that it would be suffice, if the appeal filed by the petitioner is disposed of by the first respondent as per law.

7.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the appeal filed by the petitioner dated 07.09.2015, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice.

8.The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Revenue Divisional Officer,
Sivakasi west - 626124,
Virudhunagar District.

2.The Tahsildar,
Srivilliputhur Taluk,
Virudhunagar District.

+1cc to Mr.E.V.N.SIVA Advocate in SR. No.63397

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. NO.63319

SMN

JS/JC/SAR.1/2P-5C/10.07.2017

ORDER MADE IN
W.P(MD)No.12309 of 2017
03.07.2017