



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.18871 of 2017

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P.Somasundaram

.. Petitioner

Vs.

1. The District Revenue Officer,
Thoothukudi, Thoothukudi District.

2. The Revenue Divisional Officer,
Thiruchendur, Thoothukudi District.

3. The Sub-Registrar,
Thiruchendur, Thoothukudi 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 second respondent to dispose the Review Petition No.5153 of 2015, within the time stipulated by this Court.

For Petitioner : Mr.K.P.S.Palanivel Rajan

For Respondents : Mr.J.Gunaseelan Muthaiah,
Government Advocate.

ORDER

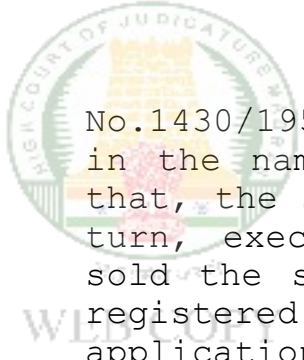
This writ petition is filed seeking a writ of mandamus to direct the second respondent to dispose of the Review Petition No.5153 of 2015 filed by the petitioner, within the time stipulated by this Court.

2.Mr.J.Gunaseelan Muthiah, learned Government Advocate, 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.

5.The case of the petitioner is that his father purchased some properties from various persons and after his demise, with <https://hcservices.ecourts.gov.in/hcservices/onlinecomplaints.aspx> of the respondents 2 and 3, some persons obtained patta in respect of the property mentioned in Sale Deed



No.1430/1957 under UDR Scheme and joint patta has also been issued in the name of his father and one Vincent Fernand. Apart from that, the second respondent issued patta to one Loganathan, who in turn, executed a settlement deed to his wife Selvarani and she sold the same to one Manthirammoorthy and the sale deed was also registered by the fourth respondent. Therefore, he filed a review application on 14.10.2015 before the second respondent seeking to issue patta in respect of the said property in favour of him and his mother, who are the legal heirs of his father and the same is pending for a long time. Therefore, the petitioner is before this Court.

6.The learned counsel appearing for the petitioner would submit that the review petition filed by the petitioner before the second respondent is pending for a long time.

7.The learned Government Advocate appearing for the respondents would submit that the first respondent is the competent authority to consider the review application filed by the petitioner.

8.Under such circumstances, this Court, without going into the merits of the petitioner's claim, directs the second respondent to place the Review Application No.5153 of 2015 filed by the petitioner, before the first respondent within a period of four weeks from the date of receipt of a copy of this order and the first respondent shall consider the same and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of eight 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.

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

Sd/-

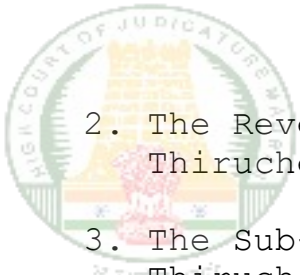
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

<https://hcservices.hc.madras.gov.in/> Revenue Officer,
Thoothukudi, Thoothukudi District.



2. The Revenue Divisional Officer,
Thiruchendur, Thoothukudi District.

3. The Sub-Registrar,
Thiruchendur, Thoothukudi District.

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+ 1 CC TO MR.K.P.S.Palanivel Rajan, ADVOCATE IN SR No.82690

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.82927

smn

MK/JC/SAR-2/31.10.2017/3P/6C

ORDER MADE IN
W.P(MD)No.18871 of 2017
12.10.2017