



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2017

CORAM

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

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W.P. (MD) .No.20644 of 2017

Kamatchi Ammal

...Petitioner

Vs.

1. The District Collector,
Theni District,
Theni.

2. The Revenue Divisional Officer,
Periyakulam,
Theni District.

3. Karuppa Thevar

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent herein to dispose of the petitioner's appeal in Na.Ka.No.2094/2016/A.1 in accordance with law within the time limit as fixed by this Court.

For Petitioner	: Mr.K.Hemakarthikeyan
For Respondents	: Mr.M.Alagathevan Special Government Pleader For R.1 & R.2

ORDER

By consent, this writ petition itself is taken up for final disposal.

2. Mr.M.Alagathevan, learned Special Government Pleader, takes notice for the respondents. Notice to the third respondent is dispensed with, as no adverse order is going to be passed and opportunity of hearing will be provided, by the authorities concerned, at the time of hearing.

3. According to the petitioner, the property in question is their ancestral property, whereas, some third parties, viz, the third respondent herein is attempting to change the patta in his name, as if he had purchased the property from the petitioner's brother. With regard to the title of the said property, a suit has also been preferred, which came to be decreed in favour of both the parties. In the meanwhile, the third respondent has got patta in his name and aggrieved thereby, the petitioner has preferred an



appeal before the respondents for issuance of a joint patta, which was duly forwarded to the concerned authority / second respondent, where it is kept pending, without any action. Hence, the petitioner is before this Court seeking a direction for early disposal of the said appeal.

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4. The learned Special Government Pleader, on instructions, submitted that the authorities are inclined to pass orders on the appeal of the petitioner, on merits, within a stipulated time limit.

5. Under such circumstances, this Court, without going into the merits of the petitioner's claim, directs the second respondent to pass appropriate orders, on the appeal of the petitioner in Na.Ka.No.2094/2016/A.1, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner and the third respondent as well as all the interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Theni District,
Theni.
2. The Revenue Divisional Officer,
Periyakulam,
Theni District.

+1cc to Mr.K.Hemakarthiskeyan, Advocate Sr.No.86743

+1cc to Spl.Government Pleader Sr.No. 86581

GK

VB/KP/SAR2/20/11/2017/2P/5C

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