



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.22833 of 2017

S.Macham

... Petitioner

-vs-

1. The Revenue Divisional Officer,
Sivagangai District.

2. Muthulakshmi.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the 1st respondent to dispose the application of the petitioner based on his representations dated 11.08.2017 and 09.09.2017 within a stipulated time.

For Petitioner : Mr.C.Jeganathan

For R1 : Mr.J.Gunaseelan Muthiah
Govt. Advocate

O R D E R

This writ petition has been filed, seeking a direction to the 1st respondent to dispose of the application of the petitioner on the basis of his representations dated 11.08.2017 and 09.09.2017.

2. Mr.J.Gunaseelan Muthiah, learned Government Advocate takes notice for R1. Notice to R2 is dispensed with, as no adverse order is going to be passed in this petition against her. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that the property in question was originally classified as Cart Track (Vandi Pathai) as per the Revenue records and subsequently, the records were mutated so as to facilitate the 2nd respondent in fraudulent manner. In this regard, the petitioner sent an application dated 16.08.2017 to the District Revenue Officer for cancellation of patta granted to the 2nd respondent. On 11.09.2017, the said application was forwarded to the 1st respondent herein by the District Revenue Officer for further action, thereafter, there was no progress on the matter, despite



receipt of his subsequent representations dated 11.08.2017 and 09.09.2017. Aggrieved by the same, the petitioner is before this Court with the above prayer.

4. The learned Government Advocate appearing for the first respondent would submit that if a reasonable time is granted to the first respondent, the application/representation of the petitioner will be considered and appropriate orders be passed.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider the application / representation of the petitioner dated 16.08.2017, as referred to by the District Revenue Officer and pass necessary orders thereon on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner, R2 and other interested parties, if any.

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

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To:

The Revenue Divisional Officer,
Sivagangai District.

+1cc to Special Government Pleader, SR.No. 93122

+1cc to M/S.Veera Associates, Advocate SR.No. 92782

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JM/SKN RSK/SAR 4/04.01.2018/2P/4C