



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2017

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

W.P. (MD) No. 23354 of 2016

WEB COPY

P.T. Moorthy

...Petitioner

-Vs-

1. The Revenue Divisional Officer,
Dindigul.

2. The Tahsildar,
Nilakottai Taluk Office,
Nilakottai, Dindigul District.

3. Ramakrishnan.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent herein to consider the petitioner's appeal dated 30.04.2015 and to dispose of the appeal within the time stipulated by this Court by affording adequate opportunity to the parties.

For Petitioner

: Mr. R. Suresh Kumar

For Respondents

: C. Selvaraj (For R1 & R2)

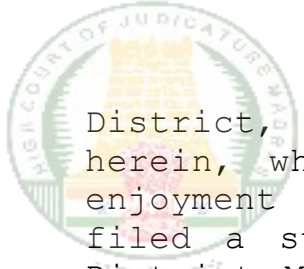
Special Government Pleader

O R D E R

The petitioner has come up with the present Writ Petition for issuance of a Writ of Mandamus directing the first respondent herein to consider the petitioner's appeal dated 30.04.2015 and to dispose of the appeal within the time stipulated by this Court by affording adequate opportunity to the parties.

2. Heard Mr. R. Suresh Kumar, learned counsel appearing for the petitioner and Mr. C. Selvaraj, learned Special Government Pleader appearing for the respondents 1 and 2 and perused the materials available on record.

<https://hcservices.courts.gov.in/hcservices/> of the petitioner is that he is in possession and enjoyment of the land comprised in S.Nos. 1295/19, 1295/22 and 1295/23 situated at Batlagundu, Nilakottai Taluk, Dindigul



District, which are ancestral properties. The third respondent herein, who is a stranger, disturbed peaceful possession and enjoyment of the petitioner's properties. Hence, the petitioner filed a suit in O.S.No.92 of 2014 on the file of the learned District Munsif, Nilakottai against the third respondent and the said suit is pending.

4.The grievance of the petitioner is that aggrieved over the order passed by the second respondent, dated 08.10.2014, the petitioner preferred an appeal before the first respondent on 30.04.2015, requested to change the patta in his favour. But no action was taken for the past two years.

5. In the light of the prayer sought for in the Writ petition, without going into the merits of the case, this Court directs the first respondent to pass orders on the appeal of the petitioner, dated 30.04.2015 on merits and in accordance with law, after providing opportunities to necessary parties 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 Revenue Divisional Officer,
Dindigul.

2.The Tahsildar,
Nilakottai Taluk Office,
Nilakottai, Dindigul District.

+1cc to Mr.R.SURESHKUMAR, Advocate, SR.76772

+1cc to M/S.Special Government Pleader, SR. 76854

W.P. (MD) No. 23354 of 2016

04.09.2017

MSA

KK/SKN RSK/SAR 1/22.09.2017/ 2P- 5C