



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.18412 of 2018

WEB COPY

Ramachandran

... Petitioner

vs.

The District Revenue Officer,
Pudukkottai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondent to dispose the petitioner patta transfer appeal pending before respondent in D5/17200/2017 within a particular time frame.

For Petitioner : Mr.N.Balakrishnan
For Respondent : Mr.A.Muthukaruppan
Additional Government Pleader

O R D E R

This writ petition is filed for issuance of a Writ of Mandamus to direct the respondent to dispose of the petitioner's patta transfer appeal pending before respondent in D5/17200/2017 within a particular time frame.

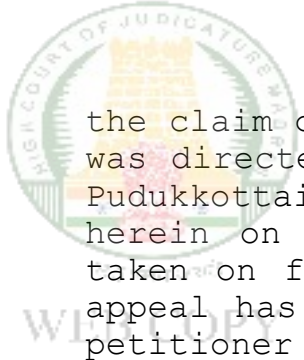
2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice on behalf of the respondent.

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

4.The case of the petitioner is that the property in Survey No.151/8 with an extent of 29 cents at Melpanaikadu Village, Aranthangi Taluk had been classified as 'Local Fund Road'.

5.According to the petitioner, such classification is done without any notice and he was entitled to get patta for the said subject property. According to the petitioner, he is in actual possession and enjoyment of the said property. In this regard, he has taken many steps to change the classification for the property and in this connection, he has filed a writ petition before this Court in W.P(MD).No.10174 of 2016 and the same was disposed of on 12.07.2016 directing the Revenue Divisional Officer, Aranthangi to consider his representation dated 08.09.2015.

6.In pursuance of the direction issued by this Court, the Revenue Divisional Officer passed an order on 01.09.2017 rejecting



the claim of the petitioner for issuance of patta and the petitioner was directed to file an appeal before the District Revenue Officer, Pudukkottai. Accordingly, an appeal was filed by the petitioner herein on 06.10.2017 before the respondent and the same was also taken on file. But despite the lapse of several months, the said appeal has not been disposed of by the respondent. Therefore, the petitioner is before this Court for issuance of Writ of Mandamus.

7.The learned Additional Government Pleader would submit that the respondent may be directed to dispose of the appeal filed by the petitioner within a stipulated time to be fixed by this Court.

8.Considering the submissions made by the learned Additional Government Pleader and the averments in the affidavit filed in support of the writ petition, the following direction is issued:-

"(a) the respondent is directed to dispose of the appeal filed by the petitioner on 06.10.2017 as against the order of the Revenue Divisional Officer, dated 01.09.2017 in his proceedings O.Mu.2868/2017/A6, within a period of four weeks from the date of receipt of a copy of this order."

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

Sd/

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar (CS-III)

To:

The District Revenue Officer,
Pudukkottai District.

+1cc to Mr.N.Balakrishnan,Advocate, SR.No. 80532

+1cc to M/s.Special Government Pleader,SR.No. 80345

W.P.(MD) No.18412 of 2018
24.08.2018

RMK

KK/SV/SAR-3/18.09.2018/2P-4C