



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.16935 of 2018

S.Masimalai

... Petitioner

vs.

1. The District Revenue Officer,
District Revenue Office,
Dindigul.
2. The Revenue Divisional Officer,
The Revenue Divisional Office,
Palani, Dindigul District.
3. The Tahsildar,
Taluk Office,
Palani Taluk,
Dindigul District.
4. Srividya Kandavel,
W/o.Kandavel,
Tarakrishna Dental Care Centre,
No.21-F, Udumalai Road,
By-Pass Road,
Tharapuram, Thiruppur District.
5. Arumugam,
S/o.Ramasamy Pillai,
Proporator-Mariyamman Cotton Mills,
Cinivaluvar Theater,
R.F.Road, Palani,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent No.1 to dispose of the petitioner's Revision Petition dated 17.06.2018 and consequently direct the Respondent No.1 to cancel the Patta granted in favour of the 4th and 5th respondents and grant Patta in favour of the petitioner is concerned in Survey No.223/1 and 223/2, in an extent of 4 Acres and 62 cents situated at Pullyampatti Village, Palani Taluk, Dindigul District, within a stipulated time.



For Petitioner : Mr.T.Thirumurugan

For Respondents: Mr.V.Anand

Government Advocate for R1 to R3

O R D E R

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Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 3. Notice to the respondents 4 and 5 is dispensed with in view of nature of the order to be passed by this Court.

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

3. It is the grievance of the petitioner that his revision petition dated 17.06.2018 seeking to cancel the Patta granted in favour of the respondents 4 and 5 and grant the Patta in his favour in respect of the property comprised in Survey Nos.223/1 and 223/2, measuring an extent of 4 Acres and 62 Cents of Puliyampatti Village, Palani Taluk, Dindigul District, has not been disposed by the first respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the revision petition made by the petitioner. It is needless to point out that whenever a revision petition of this nature is made, the respondents are duty bound to dispose the same in one way or the other. Non-disposal of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to dispose the petitioner's revision petition within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to dispose the petitioner's revision petition dated 17.06.2018 on its own merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the respondents 4 and 5 and any other persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/



To:

1. The District Revenue Officer,
District Revenue Office,
Dindigul.
2. The Revenue Divisional Officer,
The Revenue Divisional Office,
Palani, Dindigul District.
3. The Tahsildar,
Taluk Office,
Palani Taluk,
Dindigul District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 76207
+ 1 CC TO Mr. THIRUMURUGAN, ADVOCATE IN SR No. 75842

KRK

TE/RSK/SAR-4 : 10/08/2018 : 3P/6C

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