



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.356 of 2019

1.P.Kasinaicker
2.P.Kasirajan
3.S.Lakshmanadurai ...Petitioners

-Vs-

1.The District Revenue Officer,
Collector Office Buildings,
Madurai.

2.The Sub-Registrar,
Madurai South,
Madurai.

3.Chinthamianiammal
4.V.Kasi Raj
5.V.Pothi Raj
6.R.Mariammal
7.R.Jeyavel
8.R.Gangadevi ...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose of the proceedings in Na.Ka.G-5/47755/2015 pending before him within a time frame fixed by this Court.

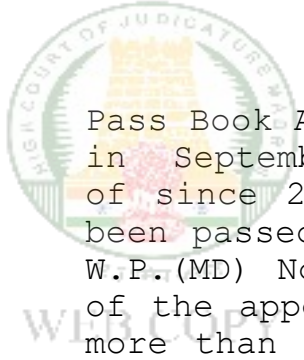
For Petitioner : Mr.S.Manokar
For Respondents : Mr.S.Murugan, G.A. For RR1 and 2

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 1st respondent to dispose of the proceedings in Na.Ka.G-5/47755/2015 pending before him within a time frame fixed by this Court.

2.Heard Mr.S.Manokar, learned counsel appearing for the petitioner and Mr.S.Murugan, learned Government Advocate appearing for the respondents 1 and 2.

3.The learned counsel appearing for the petitioner submits that, against the order passed by the Tahsildar with regard to issuance of patta, the petitioner preferred an appeal under Patta



Pass Book Act to the 1st respondent i.e. the District Revenue Officer in September 2015. However, the said appeal has not been disposed of since 2015. Since the same has been pending and no order has been passed, the petitioner already approached this Court by filing W.P.(MD) No.21096 of 2016, where, a direction was given to dispose of the appeal. However, the appeal was not disposed of even after more than 2-1/2 years of the order passed by this Court. Only at this juncture, the second round of litigation, by way of filing this writ petition, has been filed.

4.The learned Government Advocate appearing for the respondents 1 and 2 submits that, within a time frame to be stipulated by this Court in this writ petition, the said appeal pending before the 1st respondent would be decided and an order to that effect would be passed on merits.

5.Considering the said submission made by the learned Government Advocate appearing for the respondents 1 and 2, by taking into account of the factual matrix of this case, this Court is inclined to give direction to the 1st respondent to decide and dispose of the appeal pending before him filed by the petitioner with regard to the issuance of patta to the land in question and such order on merits shall be passed by the 1st respondent within a period of eight weeks from the date of receipt of a copy of this order, of course, after hearing any rival claim from the private parties

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

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Revenue Officer,
Collector Office Buildings,
Madurai.

2.The Sub-Registrar,
Madurai South,
Madurai.

+1cc to Mr.S.MANO HAR, Advocate, SR.No.66759

+1cc to M/s.Special Government Pleader,SR.No. 66712

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