



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.18910 of 2019

T.Arumugam

... Petitioner

-Vs-

The Revenue Divisional Officer,
Srivilliputhur Road,
Satchiapuram,
Sivakasi - 626 123,
Virudhunagar District.

... Respondent

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the respondent to consider the appeal filed by the Petitioner under Section 12 of Patta Pass Book Act dated 11.05.2017 against the Note Order O.M.A6/2017/0103/26/015997 dated 17.04.2017 passed by the Tahsildar within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.S.Madhavan

For Respondent : Mr.B.Bhagawathi, G.A.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, to direct the respondent to consider the appeal filed by the Petitioner under Section 12 of Patta Pass Book Act dated 11.05.2017 against the Note Order O.M.A6/2017/0103/26/015997 dated 17.04.2017 passed by the Tahsildar within a time frame as may be fixed by this Court.

2.Heard Mr.S.S.Madhavan, learned counsel appearing for the petitioner and Mr.B.Bhagawathi, learned Government Advocate appearing for the respondent.

3.As against the order passed by the Tahsildar concerned, on 17.04.2017 under Patta Pass Book Act, the petitioner preferred an appeal under Section 12 of the said Act to the respondent on 11.05.2017 and the said appeal is still pending with the respondent. Therefore, the learned counsel appearing for the petitioner submits that, if a direction is given to the respondent to dispose of the said appeal, on merits and in accordance with law, within a time frame as may be stipulated by this Court, the petitioner would be



satisfied.

4.I have heard the learned Additional Government Pleader appearing for the respondent, who would submit that, the said appeal pending before the respondent would be decided on merits, after hearing the petitioner as well as the rival claimants, who is the respondent in the said appeal and orders would be passed thereon, within a time frame to be stipulated by this Court.

5.Having regard to the submission made by both sides and taking into account the factual matrix of the case, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The said appeal dated 11.05.201y filed by the petitioner and is pending before the respondent shall be considered by the respondent, after hearing the petitioner as well as the respondent in that appeal, against whom, the appeal has been filed by the petitioner and order shall be passed, 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

// True Copy //

Sub Assistant Registrar(CS)

Arul

To

The Revenue Divisional Officer,
Srivilliputhur Road,
Satchiapuram,
Sivakasi - 626 123,
Virudhunagar District.

+1 CC to M/s.SS.MADHAVAN, Advocate (SR-84733[F] dated 30/08/2019)

W.P.(MD)No.18910 of 2019

30.08.2019

_KK/SAR/27.09.2019/2P-3C/