



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD)No.19853 of 2019

Palanivel

... Petitioner

vs.

1.The Revenue Divisional Officer,
Ramanathapuram.

2.Udayar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to dispose the petitioner's appeal in Na.Ka.A5/8339/12 within a time frame.

For Petitioner : Mr.J.Madhu

For Respondents : Mr.K.Mu.Muthu
Additional Government Pleader
for R.1

ORDER

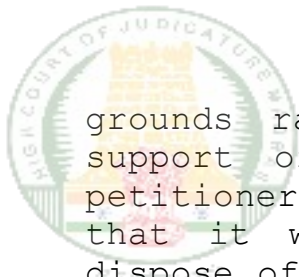
Mr.J.Madhu learned counsel on record for writ petitioner is before this Court.

2. Mr.K.Mu.Muthu, learned Additional Government Pleader, accepts notice on behalf of the first respondent(official respondent).

3. From the case file and submissions made in Court, it comes to light that this writ petition can be disposed of by passing an order which is not adverse to rights of second respondent (private respondent). Be that as it may a safety valve is also being put in place in this regard and the same shall be set out infra elsewhere in this order. With consent of learned counsel for writ petitioner and State Counsel, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's appeal filed on 10.12.2012, wherein rectification qua extent in a patta pursuant to civil Court decree has been sought to be disposed of expeditiously.

5. Notwithstanding several averments made in the affidavit
<https://hccservices.courts.gov.in/hccservices> in support of the writ petition, notwithstanding several



grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the first respondent is directed to dispose of the aforementioned appeal of the writ petitioner, dated 10.12.2012 (page Nos.3 to 6 of the typed set of papers forming part of the case file) on its own merits and in accordance with law.

6. The aforesaid appeal dated 10.12.2018 shall be disposed of by the first respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight weeks from the date of receipt of a copy of this order, if not already disposed of. Second respondent herein who is sole respondent in the appeal shall be put on notice and given a reasonable opportunity by first respondent. To be noted, this is the safety valve alluded to supra.

7. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

8. The order of disposal of appeal shall be communicated by the office of the first respondent to the writ petitioner and second respondent under due acknowledgement within seven working days from the completion of aforesaid exercise.

9. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

SSL
To

The Revenue Divisional Officer,
Ramanathapuram.

+1 CC to M/s.J.MADHU, Advocate (SR-87267[F] dated 18/09/2019)

+1 CC to M/s.SPL GP (SR-87557[F] dated 18/09/2019)

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