



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.23699 of 2019

A.V.Chinna Thambi

... Petitioner

vs.

1.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.

... 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 expedite the appeal proceedings pending on his file in Na.Ka.No.A-5/3839/2012 dated 10.06.2014 and conclude the same within a time frame fixed by this Court.

For Petitioner : Mr.I.Velpradeep

For Respondents : Mr.K.Mu.Muthu,
Additional Government Pleader.

ORDER

Mr.I.Velpradeep, learned counsel on record for writ petitioner and Mr.K.Mu.Muthu, learned Additional Government Pleader on behalf of respondents are before this Court.

2.With consent of learned counsel on both sides ie., writ petitioner and State Counsel before this Court, main writ petition is taken up, heard out and is being disposed of.

3.The entire Writ Petition turns on a very narrow compass as it seeks issuance of a Mandamus to first respondent to expedite an appeal pending before the first respondent vide Reference Na.Ka.No.A-5/3839/2012 dated 10.06.2014.

4.This Court is informed that aforesaid appeal is a statutory appeal under Section 12 of 'Patta Pass Book Act, 1983 (Tamil Nadu Act 4 of 1986)' read with 'Tamil Nadu Patta Passbook Rules, 1987' (hereinafter referred to as 'said Act' and 'said Rules' respectively



for brevity).

5.Be that as it may, learned State Counsel, on instructions, submitted that aforementioned appeal is pending, that enquiry notice had already been issued, that last enquiry notice was on 05.11.2019 and that enquiry will be continued and concluded in accordance with law in this regard.

6.In the light of aforesaid trajectory of hearing today, instant Writ Petition is disposed of directing the first respondent to dispose of the aforementioned appeal proceedings filed by writ petitioner under Section 12 of said Act 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.

7.Though obvious, it is made clear that disposal of appeal will be on its own merits ie., on the merits of appeal and in accordance with law more particularly in accordance with provisions of said Act and said Rules thereunder. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

ps
To

1.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.

+1 CC to M/s.I. VELPRADEEP, Advocate (SR-97592[F] dated
12/11/2019)

+1 CC to M/s.SPL GP (SR-97757[F] dated 12/11/2019)

W.P (MD) No.23699 of 2019
11.11.2019

KK/SAR/27.11.2019/2P-5C/