

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.03.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
W.P.No.6699 of 2020

V.Mani

..Petitioner

.v.

1.The District Collector,
District Collectorate Office,
Nagapattinam & District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Nagapattinam & District.

3.Mr.K.Kuppusamy

... Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd respondent to dispose the appeal dated 10.02.2020 given by the petitioner.

For Petitioner : Mr.P.Vijendran

For R1 & R 2 : Mr.Annai Ezhil
Government Advocate

O R D E R

This writ petition has been filed for the issue of a writ of mandamus directing the 2nd respondent to dispose of the appeal filed by the petitioner on 10.02.2020, wherein, the petitioner has challenged the issuance of Patta in favour of the 3rd respondent.

2.The learned counsel for the petitioner submitted that the appeal can be considered only by the 2nd respondent and he cannot delegate the said power to the Tahsildar and such delegation goes against the provisions of the Patta Pass Book Act.

3.The learned Government Advocate appearing on behalf of the 2nd respondent submitted that the 2nd respondent has taken cognizance of the appeal filed by the petitioner and already a notice has been issued to the petitioner on 14.03.2020, directing the petitioner

to attend for an enquiry on 30.03.2020, along with all the relevant documents. A copy of the notice was also filed before this Court.

4. In view of the above development, there shall be a direction to the 2nd respondent to independently consider the appeal dated 10.02.2020, filed by the petitioner challenging the issuance of Patta in favour of the 3rd respondent, after affording an opportunity to the 3rd respondent and appropriate orders shall be passed within a period of eight weeks from the date of receipt of copy of the order.

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

Sd/-
Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

KP
To

1. The District Collector,
District Collectorate Office,
Nagapattinam & District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Nagapattinam & District.

+1cc to Mr. P. Vijendran, Advocate SR.No. 23288
+1 cc to Government Pleader Sr.No. 24080

W.P.No. 6699 of 2020

A.SK(23/03/2020)

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