

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.8722 of 2020

Subramanian

...Petitioner

Vs.

1. The District Collector,
Dharmapuri District, Dharmapuri.
2. The Revenue Divisional Officer,
Dharmapuri District, Dharmapuri.
3. The Tahsildar,
Erappatti Nagavathi Dam,
Nanjukuzhi, Aragasanahalli Post,
Pennagaram Taluk, Dharmapuri District.
4. Mangammal

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 2nd respondent to dispose of the appeal of the petitioner dated 06.06.2020 and fix time frame.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.D.Raja, AGP for R1 to R3

सत्यमेव जयते
O R D E R

Mr.D.Raja, learned Additional Government Pleader, takes notice for the respondents 1 to 3. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

2. Seeking a direction to the second respondent to dispose of the appeal dated 06.06.2020 filed by the petitioner, the present writ petition came to be filed.

3.It is the case of the petitioner that the lands in patta Nos.109, 222 and 388 of Aragasanahalli Village, Pennagaram Taluk, Dharmapuri District belong to the petitioner's father. On his demise, his legal heirs including the petitioner, inherited the said lands and have been in joint possession and enjoyment of the same and no partition has been taken place among the legal heirs. While so, the third respondent, without issuing any notice to the petitioner and other co-sharers, effected mutation of the revenue records in respect of the said lands, as per which, Patta No.222 stands in the name of the petitioner's mother Chinnapappa and patta No.388 stands in the name of the fourth respondent, who is the second wife of the petitioner's father. Aggrieved over the same, the petitioner preferred an appeal on 06.06.2020 before the second respondent, praying for the cancellation of patta Nos.222 and 388 and the said appeal is pending without any progress. Hence, this writ petition.

4.Heard both sides and perused the materials placed before this Court.

5.Considering the limited nature of the relief sought for herein, this Court, without expressing any opinion with regard to the merits of the case, directs the second respondent / Appellate Authority to dispose of the petitioner's appeal dated 06.06.2020 on merits and in accordance with law, after affording due opportunity of personal hearing to the petitioner, 4th respondent as well as all the interested parties, within a period of eight weeks from the date of uploading the copy of this order in the website.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

dpq

To

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Revenue Divisional Officer,
Dharmapuri District,
Dharmapuri.

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3. The Tahsildar,
Erappatti Nagavathi Dam,
Nanjukuzhi, Aragasanahalli Post,
Pennagaram Taluk, Dharmapuri District.

W.P.No.8722 of 2020

NR (CO)
KKV/03/09/2020



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