

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.12432/2020

M.Murugesan

.. Petitioner

Versus

1.The District Revenue Officer
Thiruvannamalai District,
Thiruvannamalai.

2.Mr.Deiveegan

.. Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to dispose of the statutory appeal dated 24.09.2018, preferred by the petitioner under section 12 of the Tamil Nadu Patta Passbook Act, 1986, by providing a Pre-decisional personal hearing to the petitioner and finalise the same within a time frame limit as may be fixed by this Court.

For Petitioner : Mr.P.G.Thiyagu

For R1 : Mr.E.Balamurugan

Special Government Pleader

ORDER

(1) This writ petition has been filed for the issue of a writ of mandamus directing the 1st respondent to dispose of the appeal preferred by the petitioner on 24.09.2018 within the time frame fixed by this Court.

(2) The case of the petitioner is that the subject property was originally classified as 'Thotti Inam'. According to the petitioner, the registered holder of these properties is his father and a patta was also issued in his favour in Patta No.652. During the re-survey and re-settlement, the names of two other persons were also included in the patta. Thereafter, the petitioner made a representation to the Tahsildar, Tiruvannamalai, to make the necessary correction and restore the name of the father of the petitioner in the original patta. The representation made by the petitioner was rejected by the

Tahsildar, vide proceedings dated 30.10.2001. The petitioner, thereafter filed an appeal before the 1st respondent on 24.09.2018 against the order of the Tahsildar, Tiruvannamalai and since this appeal was not taken up for consideration, the petitioner also made a representation to the 1st respondent on 05.09.2019. Since this was also not acted upon, the present writ petition has been filed before this Court seeking for appropriate directions.

(3) Heard Mr.A.Haja, learned counsel for the petitioner and Mr.E.Balamurugan, learned Special Government Pleader accepting notice on behalf of the 1st respondent.

(4) Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the 1st respondent to take up the appeal filed by the petitioner on 24.09.2018 and deal with the same strictly in accordance with law. The 1st respondent shall provide sufficient opportunity to the petitioner and the 2nd respondent at the time of enquiry and before passing final orders and the final orders shall be passed within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with a copy of the appeal dated 24.09.2018 and also a copy of this order.

(5) This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

AP

To
The District Revenue Officer
Thiruvannamalai District,
Thiruvannamalai.

+1 cc to M/s. P.G.Thiyagu, Advocate Sr.No. 29685

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KK (CO)
RMP (13/10/2020)