



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **27.08.2020**

CORAM

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.4387 of 2020

P.V.Ilangan

...Petitioner

Vs

1.The District Revenue Officer,
O/o.The District Revenue Office,
Madurai District,
Madurai.

2.M.Ashokan

(R2 impleaded vide Court order
dated 13.07.2020 in W.M.P(MD).No.4188
of 2020)

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to dispose the petitioner's application No.7951 of 2015 within a time frame as fixed by this Court.

For Petitioner : Mr.T.Villavankothai

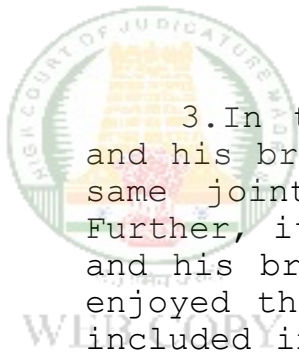
For R1 : Mr.C.Ramesh
Special Government Pleader

For R2 : Mr.S.Manoharan

ORDER

This Writ Petition is filed to direct the first respondent to dispose the petitioner's application No.7951 of 2015 within the time frame.

2.Heard Mr.T.Villavankothai, learned counsel appearing for the petitioner, Mr.C.Ramesh, learned Special Government Pleader appearing for the first respondent and Mr.S.Manoharan, learned counsel appearing for the second respondent.



3.In the affidavit, it has been averred that, the petitioner and his brother have ancestral properties and both are enjoying the same jointly and they have obtained a joint patta separately. Further, it has been stated that before UDR, the petitioner's father and his brother have the property in Alathur Village and they have enjoyed the same jointly. After UDR, the petitioner's name was not included in the patta of Alathur Village. Hence, the petitioner has filed a case in Application No.7951 of 2015 before the Revenue Court in the year 2015. Since no order has been passed, the petitioner is before this Court.

4.The learned counsel appearing for the petitioner submitted that the petitioner has filed an application in Na.Ka.No.7951/2015 before the District Revenue Officer, to rectify the mistake in the computer patta and the same is still pending, without any progress. He further submitted that since the said application was not considered, the petitioner has made a representation on 12.02.2020 before the DRO and the same is also pending without passing any order.

5.The learned counsel appearing for the second respondent submitted that it is not clear as to whether the petition pending before the District Revenue Officer is an original petition or appeal or revision.

6.The learned Special Government Pleader appearing for the first respondent submitted that if the petitioner's application or appeal is pending before the District Revenue Officer, the same will be considered, by considering the objections if any.

7.In the light of the above, this Court, without expressing any opinion on the merits of the case, directs the District Revenue Officer, Madurai District, to consider the petitioner's application No.7951 of 2015 and pass appropriate orders on merits and in accordance with law, after providing opportunity to both the parties concerned, within a period of twelve(12) weeks from the date of receipt of a copy of this order. The first respondent shall also consider the objections made by the private respondent, if any, before passing the final order.

8.With the above direction, this Writ Petition stands disposed of. No costs.

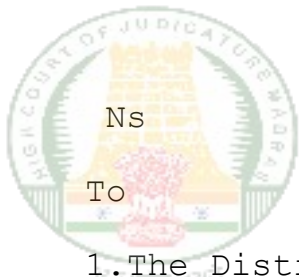
Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



1.The District Revenue Officer,
O/o.The District Revenue Office,
Madurai District,
Madurai.

+1 CC to M/s.GP (SR-15277[F] dated 28/08/2020)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

W.P. (MD) No.4387 of 2020

27.08.2020

NR (16.09.2020) 3P 2C