



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.8543 of 2020

WEB COPY

Janaki

... Petitioner

Vs.

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukottai District.

3.The Tahsildar,
Aranthangi Taluk,
Pudukottai District.

4.Parvathi
5.Chitradevi
6.Tamilarasi
7.Nithya

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the first respondent to dispose of the petitioner's appeal dated 19.06.2019 within a stipulated time fixed by this Court.

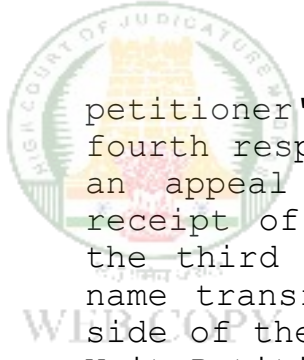
For Petitioner	: Mr.T.Lenin Kumar
For RR 1 to 3	: Mr.R.Sethuraman, Special Government Pleader.

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, to direct the first respondent to dispose of the petitioner's appeal dated 19.06.2019 within a stipulated time fixed by this Court.

2.Mr.R.Sethuraman,, learned Special Government Pleader takes notice for the respondents 1 to 3.

3.According to the petitioner, she purchased a property comprised in Survey No.174/5 situated at Rajendrapuram Village, Aranthangi Taluk, Pudukottai District through a registered sale deed in Document No.337 of 1994. He obtained patta in the said property and he is in peaceful possession and enjoyment of the same. While so, the third respondent, without conducting enquiry, removed the



petitioner's name in the patta and issued patta in favour of the fourth respondent. Aggrieved over the same, the petitioner preferred an appeal dated 19.06.2019 before the second respondent. After receipt of the copy of the appeal, the second respondent directed the third respondent to forward all the records pertaining to the name transfer in the patta. Since no action has been taken on the side of the respondents 1 to 3, the petitioner has filed the present Writ Petition.

4.The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the petitioner has not submitted the application in a proper format and if the petitioner has filed the appeal in a proper format before the second respondent, the same will be considered on merits and in accordance with law.

5.In view of the submissions made by the learned Special Government Pleader, this Court is inclined to pass the following order:-

i) The petitioner is directed to prefer an appeal in a proper format before the second respondent / Revenue Divisional Officer, within a period of one week from the date of receipt of a copy of this order.

ii) On receipt of the such appeal within the aforesaid period, the second respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks thereafter, after affording an opportunity of hearing to the petitioner and other interested parties.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

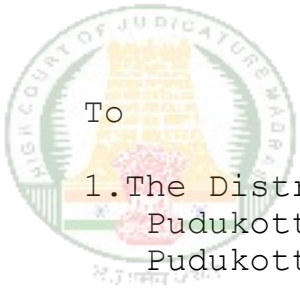
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/ /2020

Sub Assistant Registrar(CS)

ps

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.



To

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukottai District.

3.The Tahsildar,
Aranthangi Taluk,
Pudukottai District.

+1 CC to M/s.GP (SR-13643[F] dated 05/08/2020)

Order made in
W.P. (MD) No.8543 of 2020
Dated:
03.08.2020

AP(12/08/2020) 3P 5C