



WEB COPY

WP(MD)No.11037 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :07.09.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.11037 of 2020

and

W.M.P. (MD) No.9680 of 2020

1.Mahadevi

2.Arivazhagan

3.Tamilselvi

4.Gunaseelan

... Petitioners

Vs

1.The Tahsildar,
Kodaikannal,
Dindigul District 624 101.

2.The Revenue Divisional Officer,
Kodaikanal,
Dindigul District 624 101.

3.The District Collector,
Collectorate,
Dindigul District 624 004.

4.Ponnudurai

5.Dhanabakyam

6.Balamurugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to conduct proper enquiry of appeal filed U/s.12 of Tamilnadu Patta Passbook Act 1983 dated 07.07.2020 by considering the pleadings and submission, oral and written and consequently restore the patta No.1624 in the name of petitioners by setting aside the illegal and irregular mutation of patta in favour of respondents 4 to 6.

For Petitioner : Mr.S.Muthuselvan

For R1 to R3 : Mr.C.Ramesh
Special Government Pleader



ORDER

This writ petition is filed to direct the respondents to conduct proper enquiry on the appeal dated 07.07.2020 and to restore the patta No.1624 in the name of petitioners.

2.By consent, this writ petition is taken up for final disposal at the stage of admission itself.

3.The grievance of the petitioners is that in respect of the subject matter of the property, the 1st petitioner has preferred an appeal dated 07.07.2020 as against the respondents 4 to 6 before the 2nd respondent seeking to restore the patta No.1624 in favour of the petitioners by setting aside the irregular mutation of patta issued in favour of respondents 4 to 6. Though the 2nd respondent, by communication dated 18.07.2020, called upon the 1st petitioner for enquiry on 31.07.2020, so far, no enquiry was conducted on that date and the matter was adjourned without specifying date. Hence, the present writ petition.

4.The learned Special Government Pleader appearing for the respondents 1 to 3 would submit that the 1st petitioner's appeal dated 07.07.2020, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5.In the light of the above, without expressing any opinion on the merits of the case, this Court directs the 2nd respondent to conduct enquiry on the 1st petitioner's appeal dated 07.07.2020 and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order, after providing opportunity to the parties concerned.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

mm

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 Tahsildar,
Kodaikannal,
Dindigul District 624 101.

2.The Revenue Divisional Officer,
Kodaikanal,
Dindigul District 624 101.

3.The District Collector,
Collectorate,
Dindigul District 624 004.

+1 CC to M/s.GP (SR-16220[F] dated 08/09/2020)

W.P. (MD) No.11037 of 2020
07.09.2020

AP(15/09/2020) 3P 5C