



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2020

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WEB COPY

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P(MD).No.11992 of 2020

M.John Kennady

.. Petitioner

Vs.

1. The District Collector,
Tirunelveli, Tirunelveli District.

2. The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

3. The Tahsildar,
Radhapuram Taluk,
Radhapuram,
Tirunelveli District.

4.P.Jerish

5.M.Ramkumar

6.K.Murugan

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to pass appropriate orders on the appeal, dated 15.06.2020 and 05.08.2020 respectively filed by the petitioner herein for cancellation of Sub-division of the patta in respect of landed property bearing S.No.1121/1B situated at Levinchipuram Village, Radhapuram Taluk, Tirunelveli District, within stipulated time fixed by this Court.

For Petitioner	:	Mr.T.Sundaravadanam
For Respondents	:	Mr.A.Karthik, for R1 to R3 Government Advocate

ORDER

This writ petition has been filed by the petitioner for issuance of Writ of Mandamus directing the 2nd respondent to pass appropriate orders on the appeal, dated 15.06.2020 and 05.08.2020 respectively filed by the petitioner herein for cancellation of Sub-division of the patta in respect of landed property bearing



S.No.1121/1B situated at Levinchipuram Village, Radhapuram Taluk, Tirunelveli District, within stipulated time fixed by this Court.

2.Heard the learned counsel for the petitioner Mr.T.Sundaravadanam and Mr.A.Karthik, learned Government Advocate, who takes notice for the respondents 1 to 3. Notice to the respondents 4 to 6 is dispensed with. By consent of both parties, to day this writ petition is taken up for final disposal at the admission stage itself.

3.The petitioner preferred an appeal on 15.06.2020 and 05.08.2020 before the second respondent to cancel the patta stands in the name of the fourth and fifth respondents. He also sent the petition to the first respondent also and the first respondent has forwarded the same to the second respondent to take necessary action. But, the aforesaid appeal is still pending and no order has been passed so far. Hence, the instant writ petition has been filed before this Court.

4.The learned Government Advocate appearing for the respondents 1 to 3 submitted that the appeal will be considered on merits after providing opportunity to the parties concerned within the time fixed by this Court.

5.Considering the limited scope of the prayer sought for in this writ petition, without going into the merits of the case, this Court is inclined to issue a direction to the second respondent.

6.Accordingly, the second respondent is directed to dispose of the appeal filed by the petitioner dated 05.06.2020 on merits and in accordance with law, after affording opportunity to the petitioner as well as the respondents 4 to 6 and the persons who are interested in this property as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.

7.This writ petition stands disposed of with the above direction. No costs.

Sd/-

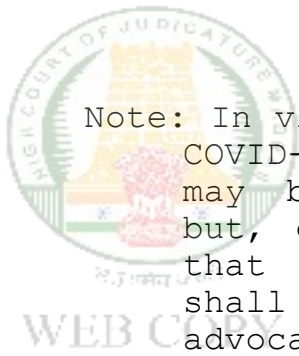
Assistant Registrar (C.O)

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/ /2020

Sub Assistant Registrar(CS)

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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,
Tirunelveli, Tirunelveli District.
2. The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.
3. The Tahsildar,
Radhapuram Taluk,
Radhapuram,
Tirunelveli District.

+1 CC to the SPL GP (SR-17575[F] dated 21/09/2020)

W.P (MD) .No.11992 of 2020
18.09.2020

AL(CO)
CS(29.09.2020) 3P 5C