



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2020

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WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.16982 of 2020

S.R.Kannan

...Petitioner

-Vs-

1.The District Collector,
Office of the District Collector,
Sivagangai District, Sivagangai.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Sivagangai, Sivagangai District.

3.The Tahsildar,
Office of the Tahsildar,
Thiruppuvanam Taluk Office,
Sivagangai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the second respondent herein to dispose of the appeal of the petitioner, which is numbered as Na.Ka.No.A3/5668 of 2019 with regard to transfer of patta comprised in Old.S.No.44/8 New S.No.282/17 situated at Palayanoor Village, Thiruppuvanam Taluk, Sivagangai District as expeditiously as possible by considering the petitioner's representation dated 01.10.2020 within the time stipulated by this Court.

For Petitioner : Mr.A.R.Kannappan

For Respondents : Mr.K.P.Krishnadoss

Special Government Pleader

ORDER

This writ petition has been filed to direct the second respondent herein to dispose of the appeal filed by the petitioner in Na.Ka.No.A3/5668 of 2019 with regard to transfer of patta comprised in Old.S.No.44/8 New S.No.282/17 situated at Palayanoor Village, Thiruppuvanam Taluk, Sivagangai District by considering the petitioner's representation dated 01.10.2020.

2.Mr.K.P.Krishnadoss, learned Additional Government Pleader takes notice for the respondents.



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

4. According to the petitioner, the mother of the petitioner namely, Muthurakammal is the owner of the property in Old.S.No.44/8 New S.No.282/17 situated at Palayanoor Village, Thiruppuvanam Taluk, Sivagangai District and the petitioner and his mother are in possession and enjoyment of the said property. While so, one Bose @ Boosari Chettiar claiming right over the property filed a suit in O.S.No.28 of 1994 for permanent injunction and declaration, which was dismissed by the trial Court. Thereafter, the order of the trial Court was put into challenge in A.S.No.50 of 1998 and the same came to be allowed. Challenging the same, the petitioner's mother filed S.A.(MD)No.2054 of 2000 and obtained an order of status quo. Pending second appeal, the third respondent has issued a patta in favour of the third parties for the above said survey numbers. Hence, the petitioner preferred an appeal before the second respondent. As the same is not considered so far, the petitioner has filed the present writ petition with the aforesaid prayer.

5.The learned Special Government Pleader appearing for the respondents would submit that the appeal filed by the petitioner would be disposed shortly.

6.In view of the submission, made by the learned Additional Government Pleader, this writ petition is disposed of with a direction to the second respondent to dispose of the appeal filed by the petitioner in Na.Ka.No.A3/5668 of 2019, if not already disposed of, after hearing all the necessary parties, within a period of 120 days from the date of receipt of a copy of this order. The copy of the decision taken by the second respondent shall be furnished to the petitioner. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /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,
Office of the District Collector,
Sivagangai District, Sivagangai.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Sivagangai, Sivagangai District.
- 3.The Tahsildar,
Office of the Tahsildar,
Thiruppuvanam Taluk Office,
Sivagangai District.

+1 CC to Mr.A.R. KANNAPPAN, Advocate (SR-23095[F] dated 27/11/2020)

+1 CC to SPL GP (SR-23347[F] dated 30/11/2020)

W.P. (MD) No.16982 of 2020
27.11.2020

VB (17.12.2020) 3P 6C