



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.17720 of 2020

T.V.Janarthanan

... Petitioner

Vs.

1.The District Revenue Officer,
Madurai Collectorate Buildings,
Madurai-625 020.

2.The Revenue Divisional Officer,
Madurai Collectorate Buildings,
Madurai-625 020.

3.The Tahsildar,
Thirupparankundram Taluk,
Thirupparankundram,
Madurai.

4.M.S.Arockiyaraj @ M.Stalin Arockiyaraj

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the first respondent to consider the revision petition filed by the petitioner dated 08.02.2019 by holding personal enquiry and on the perusal of documents submitted by the petitioner in the enquiry and pass appropriate orders within a time frame fixed by this Court.

For Petitioner : Mr.K.K.Kannan

For Respondents 1 to 3 : Mr.M.Pandiya Rajan

Additional Government Pleader.

ORDER

The petitioner has come forward with this Writ Petition, seeking a direction to the first respondent to consider the revision petition filed by the petitioner dated 08.02.2019 by holding personal enquiry and on the perusal of documents submitted by the petitioner in the enquiry and pass appropriate orders within a time frame fixed by this Court.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



3. Mr.M.Pandiya Rajan, learned Additional Government Pleader accepts notice on behalf of the respondents 1 to 3. Since no adverse order is going to be passed against the fourth respondent, notice to the fourth respondentt is dispensed with.

4. According to the petitioner, his brothers and sisters are the joint owners of the property in Survey No.44/3 (bypass No.466/3, patta No.444) in the village of Thanakankulam, the then Madurai south Taluk presently in Thirupparankundram Taluk, Madurai District. After the demise of the petitioner's parents, the legal heirs made an application for patta and found that the patta was wrongly issued by the third respondent in favour of the fourth respondent herein. Hence, the petitioner and his family members made a joint application before the second respondent for cancellation of patta issued in favour of the fourth respondent. But, without giving an opportunity the second respondent rejected the same by order dated 03.01.2019. Thereafter, the petitioner and his family members preferred a revision before the first respondent on 08.02.2019. However, the same has not been considered so far. In such circumstances, the petitioner has approached this Court.

5.This Court is of the considered view that the issue has got to be decided by the Appellate Authority, namely, first respondent. Hence, without rendering any adverse order against the fourth respondent, this Court directs the Appellate Authority, namely, first respondent to dispose of the appeal / representation of the petitioner in accordance with law, after hearing the petitioner as well as the fourth respondent and the persons, who are likely to be affected or the persons, who are interested, within a period of 90 days from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

PJL

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 Revenue Officer,
Madurai Collectorate Buildings,
Madurai-625 020.

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Madurai Collectorate Buildings,
Madurai-625 020.

3.The Tahsildar,
Thirupparankundram Taluk,
Thirupparankundram,
Madurai.

+1 CC to Mr.K.K.KANNAN, Advocate (SR-24342[F] dated 08/12/2020)

+1 CC to SPL GP (SR-24897[F] dated 10/12/2020)

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08.12.2020

VB (22.12.2020) 3P 6C