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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.13989 of 2021

C.Venkatesh

...Petitioner

-Vs-

1. The District Revenue Officer
Salem,Salem District.
2. The Revenue Divisional Officer
Attur Taluk,
Attur, Salem District.
3. The Village Administrative Officer
Kallanatham Village,
Attur Taluk,Salem District.

...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to forthwith consider and pass orders on the Revision Petition of the petitioner, dated 21.05.2021 by affording a reasonable opportunity to the petitioner within a stipulated period.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.Yogesh Kannadasan
Government Advocate

O R D E R

The prayer sought for herein is for a writ of mandamus, directing the first respondent to forthwith consider and pass orders on the Revision Petition of the petitioner, dated 21.05.2021 by affording a reasonable opportunity to the petitioner within a stipulated period.

2. In respect of S.No.37/1 at Kallanatham village, Attur Taluk and District, there has been a dispute as triggered by one Bharathi, s/o. Kaliyan, by petition, dated 26.03.2020 before the second respondent, Revenue Divisional Officer for cancellation of the sub-division made in this regard.



3. The said petition filed by the third party having been considered was decided in favour of the said petitioner, i.e., against the present writ petitioner by order of the second respondent, dated 12.05.2021.

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4. As against the said order passed by the second respondent, dated 12.05.2021, the petitioner preferred a Revision on 21.05.2021 to the first respondent, District Revenue Officer and the said revision having been received by the first respondent has been kept pending and the same is yet to be decided, therefore, in order to decide the same at the earliest on merits and in accordance with law, the petitioner seeking for a writ of mandamus has filed the present writ petition.

5. Heard Mr.K.Selvaraj, learned counsel appearing for the petitioner who having reiterated the aforesaid would seek indulgence of this Court to give a suitable direction to the first respondent to decide the Revision of the petitioner dated 21.05.2021 on merits and in accordance with law, within a time frame that may be stipulated by this Court.

6. I have heard Mr.Yogesh Kannadasan, learned Government Advocate appearing for the respondents who would submit that, the Revision filed by the petitioner, dated 21.05.2021, as against the order passed by the second respondent, dated 12.05.2021 would be considered on merits and decided within a time frame, that may be stipulated by this Court, by the first respondent, who is the Revisional Authority.

7. Having considered the said submission made by learned counsel appearing for both sides and by taking into account the innocuous nature of the prayer sought for in this writ petition, where only a direction has been sought for to the first respondent to decide the Revision which was filed and is pending before the first respondent, this Court is inclined to dispose of this writ petition with the following order :

"There shall be a direction to the first respondent, to consider and decide the Revision petition filed by the petitioner, dated 21.05.2021 as against the order passed by the second respondent, RDO, dated 12.05.2021 and in this regard, if need arises, an opportunity of being heard can also be given to the petitioner and the rival party. After hearing the parties, the needful as indicated above, by disposing the Revision, may be undertaken and final order shall be passed within a period of Eight weeks from



the date of receipt of a copy of this order."

8. With these direction, this writ petition is disposed of.
No costs.

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Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

tsvn

To

1. The District Revenue Officer
Salem,
Salem District.
2. The Revenue Divisional Officer
Attur Taluk,
Attur, Salem District.
3. The Village Administrative Officer
Kallanatham Village,
Attur Taluk, Salem District.

+1cc to Mr.K.Selvaraj, Advocate, S.R.No.31754
+1cc to the Government Pleader, S.R.No.32142

W.P.No.13989 of 2021

PCH(CO)
RGA(23/07/2021)