

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2021

CORAM

THE HONOURABLE Mr.JUSTICE S.S.SUNDAR

W.P.No.15666 of 2018

A.Periyanayaki
W/o.M.Anandan

... Petitioner

Vs.

1. The District Collector,
Ariyalur.
2. The Revenue Divisional Officer,
Udayarpalayam,
Ariyalur District.
3. The Tahsildar (Revenue),
Udayarpalayam Taluk,
Ariyalur District.

... Respondents

Prayer: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the second respondent to consider and dispose off the appeal dated 24.08.2017 filed by the petitioner against the orders of the 3rd respondent in Na.Ka.No.A5/7411/2016 dated 1.8.2017 and thereby issue patta in favour of the petitioner in respect of 5.34 acres in Survey No.205 at Vembukudi Village, Udayarpalayam Taluk in the then Trichinopoly District and presently Ariyalur District.

For Petitioner : Mr.N.Suresh
For Respondents : Ms.A.Madhumathi
Special Government Pleader

ORDER

This writ petition has been filed for issuing a writ of Mandamus directing the second respondent to consider and dispose of the appeal dated 24.08.2017 filed by the petitioner against the orders of the third respondent in Na.Ka.No.A5/7411/2016 dated 1.8.2017 and thereby issue patta in favour of the petitioner in respect of 534 acres in Survey No.205 at Vembukudi Village, Udayarpalayam Taluk in the then Trichinopoly District and presently Ariyalur District.

2. The petitioner claimed title over the property by virtue of an order of assignment that was issued in favour of the petitioner's father in the year 1944. The petitioner made a representation to the respondents on 06.09.2016 seeking issuance of patta and the same was rejected by the third respondent on 01.08.2017 stating that the order of assignment was given temporarily in the year 1944 and that the petitioner cannot take advantage of the assignment order for getting patta of the property. Against the said order of rejection, the petitioner preferred an appeal before the second respondent on 24.08.2017. Seeking early disposal of the appeal, the present writ petition has been filed by the petitioner.

3. Considering the limited scope of the petition, this Court, without expressing any opinion on the merits of the petitioner's appeal filed before the second respondent, directs the second respondent to consider the appeal filed by the petitioner and pass appropriate orders on merits and in accordance with law, after hearing the petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of.
No Costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector, Ariyalur.

2. The Revenue Divisional Officer,
Udayarpalayam, Ariyalur District.

3. The Tahsildar (Revenue),
Udayarpalayam Taluk,
Ariyalur District.

+1cc to the Government Pleader, S.R.No.20156.

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GSM(CO)
CSR 29/04/2021