



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.7655 of 2021

N.Syed Ibrahim

...Petitioner

Vs.

1. The District Revenue Officer
O/o. The District Revenue Office,
Tenkasi, Tenkasi District.

2. The Revenue Divisional Officer
o/o.The Revenue Divisional Office
Tirunelveli,
Tirunelveli District.

3. The Tahsildar
O/o.The Tahsildar Office,
Sankarankovil,
Tirunelveli District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider and pass suitable orders on the petitioner's revision petition dated 03.10.2020 within a period that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.K.P.Narayanakumar
Special Government Pleader

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus to direct the first respondent to dispose of the revision petition filed by the petitioner on 03.10.2020 within the time period to be fixed by this Court.

2. The case of the petitioner is that the subject property originally belonged to the father of the petitioner. On his demise in the year 1991, the property vested on the petitioner and the other legal heirs. The legal heirs entered into partition and the



same was reduced to writing and the partition deed was also registered as Document No.523 of 1997.

3. A power of attorney was executed in favour of one Ashraf Ali and it is stated that he had committed fraud and as a result of the same, the power of attorney document was also cancelled on 23.08.2004. In the meantime, the purchaser of the property approached the Tahsildar for mutation of revenue records and the revenue record was also mutated in his favour. On the complaint made by the petitioner, the mutation was cancelled by the third respondent through proceedings dated 14.08.2015 and the patta was restored in the name of the father of the petitioner.

4. Aggrieved by the above proceedings of the Tahsildar, the purchaser filed an appeal before the second respondent and the same was allowed by proceedings dated 14.08.2015. Aggrieved by the same, the petitioner filed a revision petition before the first respondent on 20.09.2019. The grievance of the petitioner is that the Revision Petition is yet to be heard and final orders are yet to be passed and left with no other alternative remedy, the present Writ Petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.C.Venkatesh Kumar, learned counsel, representing M/s.Ajmal Associates, appearing for the petitioner and Mr.K.P.Narayana Kumar, learned Special Government Pleader appearing for the respondents.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the first respondent to enquire the revision petition filed by the petitioner on 03.10.2020 after affording an opportunity to the petitioner and the contesting party and final orders shall be passed strictly in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. The petitioner is directed to make a fresh representation to the first respondent along with a copy of this order.

8. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



tsg
To

1.The District Revenue Officer
O/o.The District Revenue Office,
Tenkasi,
Tenkasi District.

2.The Revenue Divisional Officer
o/o.The Revenue Divisional Office
Tirunelveli,
Tirunelveli District.

3.The Tahsildar
O/o.The Tahsildar Office,
Sankarankovil,
Tirunelveli District.

+1 CC to M/s.SPL GP (SR-15816[F] dated 15/04/2021)

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.

Order made in
W.P. (MD) .No.7655 of 2021
Dated:09.04.2021

RK (26.04.2021) 3P 5C