



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2021

CORAM :

THE HONOURABLE MRS.JUSTICE J. NISHA BANU

W.P. (MD) .No.13155 of 2021

Vattara Yadava Sangam
represented by its Treasurer,
S.Arumugam,
25/45, Senthamil Nagar West,
Kalaiyarkovil,
Sivagangai District.
Reg.No.50/2021

... Petitioner

- Vs -

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai.

2.A.Ramkumar

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose the appeal filed by the petitioner in Na.Ka.No.A3/321 of 2020 pending on the file of the 1st respondent, within a specified time as may be fixed by this Court.

For Petitioner : Mr.A.Mohan
For Respondent-1 : Mr.M.Lingadurai
Government Advocate

ORDER

This writ petition has been filed praying for issuance of a Writ of Mandamus, to direct the 1st respondent to dispose the appeal filed by the petitioner in Na.Ka.No.A3/321 of 2020, pending on the file of the 1st respondent.

2. The brief facts of the case are as follows:-

(i) The case of the petitioner is that the property in old Natham S.No.177, new S.No.347/14 and 347/18 to an extent of 2064 sq ft, situated in Kalaiyarkovil, Somanathamangalam Taluk, Sivagangai District originally belonged to one Arunachalam Chettiar and he sold the same to one Marimuthu Asari S/o.Chinnaiah Asari, vide registered sale deed 07.12.1924. Later, one Palaniyappa Chettiar purchased the above property from the legal heirs of Marimuthu Asari, by way of registered sale deed, dated 12.07.1940.

(ii) Thereafter, the above Palaniyappa Chettiar sold away the above property to one Krishnaveni Ammal, through a registered sale



deed dated 22.11.1967, in turn, the petitioner's society purchased the above property from the above said Krishnaveni Ammal, by way of a registered sale deed, dated 20.04.1993, vide document No.679/1993 and the petitioner's society is having absolute possession and enjoyment of the above property right from the date of its purchase. While being this so, the Tahsildar, Kalaiyarkovil, has issued patta in favour of the 2nd respondent, by his proceedings dated 14.06.2016 in TK.8A.277/1425, by incorporating a piece of land belonging to the petitioner's sangam, without knowledge of the office bearers of our sangam and without considering the title in respect of the above property. But, the Tahsildar has issued patta in favour of the 2nd respondent by incorporating a piece of land, as it belongs to the 2nd respondent.

(iii) The petitioner filed an appeal before the 1st respondent on behalf of the society to conduct enquiry and issue a patta, based on the sale deeds and revenue records. The same was taken on file, on the file of the 1st respondent in Na.Ka.No.A3-321 of 2020. The 1st respondent issued notice to the 2nd respondent and it was served to him. However, the matter was getting adjourned frequently. Hence, the petitioner is before this Court, seeking a direction to the 1st respondent to dispose of his appeal filed in the year 2020.

3. The learned Government Advocate appearing for the 1st respondent would submit that the petitioner's appeal will be disposed of within the time frame to be stipulated by this Court.

4. The Court heard the submissions made by the learned counsels appearing on either side and perused the materials available on record.

5. Considering the submissions made by the learned counsel appearing for the petitioner as well as the respondents, without advertting to the merits of the case, the 1st respondent is directed to dispose of the appeal filed by the petitioner in the year 2020, on merits, and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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.

WEB COPY

To

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai.

+1 CC to M/s.GP (SR-24916[F] dated 02/08/2021)

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Dated:30.07.2021

RK (11.08.2021) 3P 3C