



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9169 of 2021

P.Natesan

... Petitioner

Vs.

1.The District Collector,
Karur District, Karur.

2.The Revenue Divisional Officer,
Karur, Karur District.

3.The Tahsildar,
Karur Taluk Officer,
Karur, Karur District.

4.Ponnamma ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the second respondent to dispose the appeal in O.Mu.No.4934/2020 (A4), dated 30.11.2020 within a stipulated time fixed by this Court.

For Petitioner : Mr.P.Muthusamy.

For R1 to R3 : Mr.P.Thillak Kumar,
Standing Counsel for Government

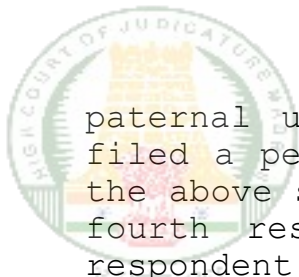
ORDER

Mr.P.Thilak Kumar, learned Standing Counsel for the Government, accepts notice on behalf of the respondents 1 to 3.

2. Since no adverse order is going to be passed against the fourth respondent, notice to the fourth respondent is dispensed with.

3. This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the second respondent to dispose of the appeal in O.Mu.No.4934/2020 (A4), dated 30.11.2020.

4. According to the petitioner, the property in survey No.331/A3 situated at Puthampore Village, Karur District, was jointly enjoyed by his father Pitchaimuthu, brother Gopal, father's brother Marappa Goundar and his son Ramasamy and Kandasamy. They have also jointly executed the power of attorney to one Kaja Moideen S/o.Rahim Saiybu. Then, the said power of attorney has sold the property to the third party. On 24.09.1997, the petitioner's



paternal uncle Marappa Goundar died. Subsequently, he has also filed a petition for cancellation of power deed. In the meantime, the above said power holder has executed the sale deed in favour the fourth respondent vide Doc.No.420/2006. Thereafter, the fourth respondent approached the Revenue Department to change the Adangal and chitta in her name. In this regard, the petitioner sent a representation to the first respondent and the same was forwarded to the second respondent for enquiry and treated the same as appeal under Patta Pass Book Act. Till date, the appeal dated 30.11.2020 has not been disposed of by the second respondent and therefore, he has filed the present writ petition.

5. The learned standing counsel for the respondents would state that the appeal would be disposed of within a reasonable time.

6. Considering the submissions of the learned standing counsel for the respondent and in the light of the facts and circumstances of the case, the second respondent is directed to consider the petitioner's appeal, dated 30.11.2020 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The second respondent is bound to put the fourth respondent and other interested persons, if any, on notice before passing the final orders.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note:(i) 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 Collector,
Karur District, Karur.

2.The Revenue Divisional Officer,
Karur, Karur District.



3.The Tahsildar,
Karur Taluk Officer,
Karur, Karur District.

+1 CC to M/s.SPL GP (SR-18826[F] dated 04/06/2021)

WEB COPY

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