



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.06.2021**

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9133 of 2021

S.Ramasamy

... Petitioner

Vs.

1.The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Iluppur Post,
Pudukkottai District.

2.The Tahsildar,
Taluk Office,
Ponamaravathi Post & Taluk,
Pudukkottai
District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner's appeal dated 30.11.2020 under the Tamil Nadu Patta Pass Book Act and to issue patta in favour of the petitioner in respect of the land situated in S.No.391/13, Ponnamaravathi East Village, Ponnamaravathi Taluk, Pudukkottai District.

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.P.Thillak Kumar,

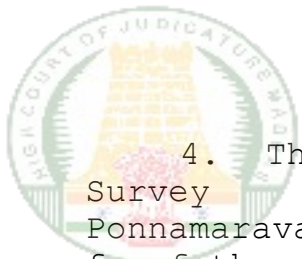
Standing Counsel for Government

ORDER

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

2. By consent, the writ petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner's appeal dated 30.11.2020 under the Tamil Nadu Patta Pass Book Act and to issue patta in favour of the petitioner in respect of the land situated in S.No.391/13, Ponnamaravathi East Village, Ponnamaravathi Taluk, Pudukkottai District.



4. The case of the petitioner is that the property situated in Survey No.391/13, Ponnamaravathi East Village, Ponnamaravathi Taluk, Pudukkottai District belongs to his forefathers and as per family arrangement, the petitioner is in possession of the said land for the past thirty years. Since there was some dispute with regard to the said land, the petitioner sent a representation to the respondents on 03.07.2012 seeking for issuance of patta. As the same was not considered, he has filed a writ petition in W.P(MD)No.19979 of 2017, to consider the petitioner's representation. This Court vide order dated 31.10.2017, has directed the second respondent to consider the petitioner's representation, within a period of six weeks. Subsequently, the first respondent directed the second respondent to conduct an enquiry and to implement the order. However, without conducting any enquiry, the second respondent rejected the request of the petitioner. Hence, the petitioner filed an appeal before the first respondent on 30.11.2020 and on receipt of the same, the first respondent has also directed the second respondent to conduct enquiry and submit a report. However, the said appeal is still pending. Hence, this writ petition.

5. The learned counsel for the petitioner would state that it would be suffice if a direction is given to dispose of the appeal filed by the petitioner.

6. The learned standing counsel for the respondents would state that the appeal filed by petitioner would be considered within a reasonable time.

7. Considering the submissions of the learned counsel for the petitioner as well as the respondents and in the light of the facts and circumstances of the case, without going into the merits of the case projected by the petitioner, the first respondent is directed to dispose of the appeal filed by the petitioner, dated 30.11.2020 , on merits and in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order

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

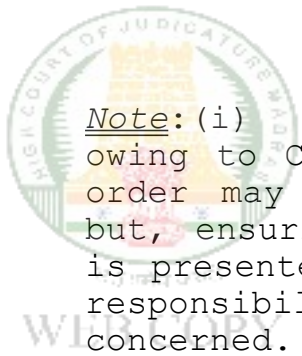
Sd/-

Assistant Registrar (CSI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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.

pm
To:

1.The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Iluppur Post,
Pudukkottai District.

2.The Tahsildar,
Taluk Office,
Ponamaravathi Post & Taluk,
Pudukkottai District.

+1 CC to M/s.M.SARAVANAKUMAR, Advocate (SR-18706[F] dated 03/06/2021)

W.P (MD) No. 9133 of 2021
02.06.2021

GS (11.06.2021) 3P 4C