



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9702 of 2021

M.Pushparaj

... Petitioner

Vs.

1.The District Revenue Officer,
District Revenue Office,
Collectorate Office,
Kokkirakulam,
Tirunelveli.

2.G.Jegatheesh

... 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 dispose of the revision petition in Aa2/Se.ma.No.56/2015 filed by the petitioner pending on his file as expeditiously as possible and within a time frame to be fixed by this Court.

For Petitioner : Mr.Venkataseshan.M.V

For 1st Respondent : Mr.P.Thilak Kumar,
Standing Counsel for Government
of Tamil Nadu

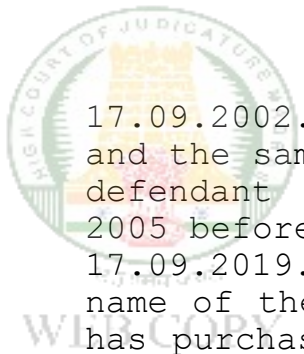
ORDER

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

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 dispose of the revision petition in Aa2/Se.ma.No.56/2015 filed by the petitioner pending on his file as expeditiously as possible and within a time frame to be fixed by this Court.

4.The case of the petitioner is that the petitioner's family owns a land totally 2.70 acres situated in S.No.719/1A, 1B and 997 at Perungudi Village, Radhapuram village, Radhapuram Taluk, Tirunelveli District. There was a dispute between the petitioner and his family members and some purchasers. Hence, the petitioner has filed a suit in O.S.No.130 of 1997 on the file of the District Munsif, Valliyoor for partition and for separate possession of his half share in the aforesaid suit property. The suit was decreed on



17.09.2002. Against which, the appeal in A.S.No.13 of 2003 was filed and the same was dismissed on 04.02.2005. Aggrieved by which, the 9th defendant therein has filed a second appeal in S.A.(MD)No.358 of 2005 before this Court. The said second appeal was also dismissed on 17.09.2019. The patta for the property bearing No.3552 stood in the name of the petitioner's family members only. The second respondent has purchased to an extent of 5.26 cents and got his name included in the patta. The petitioner approached the Thasildar, Radhapuram for deletion of the name of the second respondent. Since no steps were taken, the petitioner has filed a petition in W.P.(MD)No.8374 of 2010 and the same was allowed on 15.12.2010. After due enquiry, the Tahsildar removed the name of second respondent from the patta.

5.The further case of the petitioner is that against the order of Thasildar, the second respondent filed an appeal before the Revenue Divisional Officer, Cheranmahadevi. The said appeal was also allowed by an order dated 08.08.2011. The petitioner was neither aware of the appeal nor final order dated 08.08.2011 passed in the appeal. Thereafter, the petitioner filed a petition under RTI Act and obtained a copy of the order dated 08.08.2011. Thereby, the petitioner has filed a revision before the first respondent herein and the same was taken on file as Aa2/Se.ma.No.56/2015. The summons for hearing were issued from the office of first respondent to the petitioner and the second respondent on various dates. However, there was no effective steps for disposal. Hence, the petitioner has filed the present writ petition.

6.The learned Standing Counsel for the first respondent would state that the revision petition filed by the petitioner would be disposed of 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, the respondents are directed to dispose of the revision petition in Aa2/Se.ma.No.56/2015 filed by the petitioner, 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 (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Mrn

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.

To

1.The District Revenue Officer,
District Revenue Office,
Collectorate Office,
Kokkirakulam,
Tirunelveli.

+1 CC to M/s.M.V.VENKATESAN, Advocate (SR-18854[F]
dated 07/06/2021)

Order made in
W.P (MD) No.9702 of 2021

04.06.2021

=CN(15.06.2021) 3P 3C