



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 18.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD)No.10253 of 2021
(Through Video Conferencing)

N.Senthil

... Petitioner

Vs.

1.The Special Deputy Collector
Revenue Court, Narayanapuram
Madurai.

2.N.V.Sabapathy
4th cross street,
White Town,
Pondicherry

3.Ramarao
Panthadi 4th street
Madurai 625001

... Respondents

(R2 and R3 have been suo motu
impleaded as respondents vide
order dated 18.06.2021)

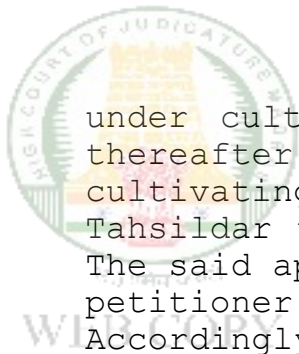
PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondent to dispose the petitioner's appeal in A.P.No.4 of 2020 filed before respondent herein seeking cultivating patta for the land cultivated by him and his ancestors for the past 65 years situated in Survey No.21/2, 4/7A, in patta No.59 and in Survey No.4/8B, 4/11A1, 21/6 in Patta No.18 within a stipulated time fixed by this Court.

For Petitioner	:Mr.S.Balaji
For Respondent	:Mr.M.Lingadurai for R1 Government Advocate (civil)

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the first respondent to dispose of the appeal filed by the petitioner in A.P.No.4/2020 within the time stipulated by this Court.

2.The case of the petitioner is that the lands in question are
<https://hcservices.ecourts.gov.in/hcservices/>



under cultivation right from the lifetime of his grandfather and thereafter it was continued and presently the petitioner is the cultivating tenant. The petitioner filed a petition before the Tahsildar to declare him as the cultivating tenant and issue patta. The said application was rejected on the ground that the petitioner must file an appeal before the first respondent. Accordingly, the petitioner filed an appeal before the first respondent and it was taken on file in A.P.No.2/2020.

3. The grievance of the petitioner is that there has been absolutely no progress in the proceedings and hence, left with no other option, the present writ petition has been filed before this Court seeking for appropriate direction.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Civil) for the first respondent.

5. 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 hear the appeal in A.P.No.4/2020 after giving opportunity to the petitioner and the impleaded respondents 2 and 3 and deal with the same on its own merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order.

7. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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

The Special Deputy Collector
Revenue Court, Narayanapuram
Madurai.

WEB COPY

+1 CC to M/s.S.BALAJI, Advocate (SR-19590[F] dated 18/06/2021)

+1 CC to M/s.SPL GP (SR-19742[F] dated 21/06/2021)

W.P. (MD) No.10253 of 2021
18.06.2021

AS (05.07.2021) 3P 4C