



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11305 of 2021

Saraswathi

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Melur Division,
Madurai District.

2.Ambarisan

3.Devarajan

4.Rajarajan

5.Elilarasi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to dispose the petitioner's appeal under Section 12 of the Patta Pass Book Act, 1983, dated 19.11.2020 and pass orders in accordance with law, within a time frame as fixed by this Court.

For Petitioner : Mr.K.K.Maheshraja

For Respondents : Mr.M.Lingadurai for R1
Government Advocate

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus, directing the first respondent to dispose of the appeal pending from 19.11.2020, within the time framed fixed by this Court.

2.The case of the petitioner is that the subject property originally belonged to his father. He died, on 22.09.1987, leaving behind the petitioner and seven others as legal heirs. The further case of the petitioner is that the property continues to remain in joint possession and it has not been partitioned. The grievance of the petitioner is that the private respondents managed to obtain a patta in their names, without adding the name of the petitioner. Aggrieved by the same, the petitioner has filed an appeal before the first respondent, on 19.11.2020. Since the same has not been taken



up for enquiry, the present writ petition has been filed before this Court, seeking for appropriate directions.

3.Heard Mr.K.K.Maheshraja, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Counsel appearing for the first respondent.

4.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 consider the appeal filed by the petitioner, on 19.11.2020, after affording opportunity to the petitioner and respondents 2 to 5 and deal with the same on its own merits and in accordance with law and pass final orders, within a period of six weeks from the date of receipt of a copy of this order.

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

6.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Revenue Divisional Officer,
Melur Division,
Madurai District.

+1 CC to M/s.SPL GP (SR-21958[F] dated 09/07/2021)

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RC (15.07.2021) 2P-3C

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