



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11295 of 2021

A.Joseph Jerry

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.

2.P.S.Louis

3.L.Mery

4.L.Listhira

5.L.Litton

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to dispose of the Appeal proceeding in A4/1908/2020, dated 26.08.2020, pending before the 1st respondent herein within the time stipulated by this Court.

For Petitioner : Mr.S.Xavier Rajini

For Respondents : Mr.R.Suresh Kumar 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 that is pending in proceedings No. A4/1908/2020, dated 26.08.2020.

2.The case of the petitioner is that the respondents 2 to 5 obtained a patta in their names through proceedings, dated 04.07.2016, of the Tahsildar, Uthamapalayam. Aggrieved by the same, the petitioner has filed an appeal before the first respondent, on 10.08.2020, by submitting all the relevant documents, wherein, the petitioner had sought for the cancellation of the patta issued in favour of the respondents 2 to 5 and to restore the same in the name of his grandfather.

3.The further case of the petitioner is that the first respondent directed the Tahsildar, Uthamapalayam, to submit a report and a report was also submitted before the first respondent. The



grievance of the petitioner is that the first respondent, thereafter, has not passed any order and left with no other option, the present writ petition has been filed before this Court, seeking for appropriate directions.

4. Heard Mr.S.Xavier Rajini, learned counsel for the petitioner and Mr.R.Suresh Kumar, learned Government Counsel, 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 proceed further with the proceedings in A4/1908/2020, dated 26.08.2020, after affording opportunity to the petitioner and respondents 2 to 5 and pass orders on its own merits and in accordance with law, within a period of six 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 a copy of this order.

7. 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,
Uthamapalayam, Theni District.

+1 CC to M/s.SPL GP (SR-21945[F] dated 09/07/2021)

+1 CC to M/s.S.XAVIER RAJINI, Advocate (SR-21861[F] dated 09/07/2021)

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