



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.14200 of 2021

and

W.M.P(MD)Nos.11146, 11148 & 11150 of 2021

Mayandi

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The District Revenue Officer,
Madurai District,
Madurai.
- 3.The Revenue Divisional Officer,
Usilampatti,
Madurai District.
- 4.The Tahsildar,
Usilampatti,
Madurai District.
- 5.The Block Development Officer,
Grama Panchayat,
Vadipatti,
Madurai District.
- 6.The Panchayat President,
Vikkiramangalam Grama Panchayat,
Chellampatti,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the third respondent in Na.Ka.No.5368/2019, A2 dated 28.02.2020 and consequential order passed by the sixth respondent in his letter dated 29.07.2021 and quash it as illegal and direct the sixth respondent to accept the petitioner's kist under 2C patta.



For Petitioner : Mr.K.K.Samy
For RR 1 to 4 : Mr.B.Saravanan
Government Advocate
For RR 5 & 6 : Mr.P.Thilak Kumar
Standing Counsel for Government

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ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the third respondent, dated 28.02.2020 and consequential order passed by the sixth respondent in his letter dated 29.07.2021 and to quash the same and direct the sixth respondent to accept the petitioner's kist under 2C patta.

2.Mr.B.Saravanan, learned Government Advocate takes notice for the respondents 1 to 4 and Mr.P.Thilak Kumar, learned Standing Counsel for the Government takes notice for the respondents 5 and 6.

3.Mr.K.K.Samy, learned counsel appearing for the petitioner submitted that the petitioner has filed an appeal before the second respondent challenging the order passed by the third respondent, dated 28.02.2020. Further, the learned counsel submitted that instead of going into the merits of the orders passed by the respondents 3 and 6, it would be suffice to direct the second respondent to dispose of the appeal, dated 04.09.2020 in Appeal No.27704 of 2020 within a time frame.

4.The learned Government Advocate appearing for the respondents 1 to 4 and the learned Standing Counsel appearing for the respondents 5 and 6 submitted that such a direction may be issued to the second respondent.

5.Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for by the learned counsel appearing for the petitioner, without expressing any opinion with regard to the merits of the case, we direct the second respondent to dispose of the appeal filed by the petitioner in Appeal No.27704 of 2020, dated 04.09.2020, on merits and in accordance with law, after giving notice to all the interested parties, within a period of six weeks from the date of receipt of a copy of this order.



6.With these observations, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS)

ps

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 Collector,
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- 3.The Revenue Divisional Officer,
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- 5.The Block Development Officer,
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Vadipatti, Madurai District.
- 6.The Panchayat President,
Vikkiramangalam Grama Panchayat,
Chellampatti,
Madurai District.

+1 CC to M/s.K.K.SAMY, Advocate (SR-26209[F] dated 13/08/2021)

+1 CC to M/s.GP (SR-26235[F] dated 13/08/2021)

W.P (MD) No.14200 of 2021
12.08.2021

RD(24.08.2021) 3P 9C