



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.15593 of 2021

M.S.Saibudeen

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Sub Collector, Pattukkottai,
Thanjavur District.

2.The Tahsildar,
Pattukkottai Taluk Office,
Pattukkottai Taluk, Thanjavur District.

3.Revathi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent herein to dispose of the petitioner's appeal dated 03.07.2021 pertaining to cancellation of patta stands in the name of the third respondent measuring an extent of five cents in respect of his landed property comprised in S.No.347, Rasiyangadu Village, Thamarankottai North, Pattukkottai Taluk, Thanjavur District, after affording opportunity to the third respondent within stipulated time by this Court.

For Petitioner : Mr.J.Lawrance
For R-1 & R-2 : Mr.K.S.Selvaganesan,
Counsel for State.

ORDER

The petitioner seeks the expeditious disposal of an appeal filed before the Revenue Divisional Officer, Pattukkottai, Thanjavur District for cancellation of the patta issued to the third respondent.

2.The petitioner claims title to the property bearing Survey No.347, Rasiyangadu Village, Thamarankottai North, Pattukkottai Taluk, Thanjavur District under a settlement deed which was registered as Document No.881 of 1976 on 12.07.1976. According to the petitioner, the patta in respect of the property was issued in favour of his father under Patta No.386. It is alleged that the petitioner discovered recently that the revenue records now reflect that a patta has been issued in the name of the third respondent herein. In such circumstances, the petitioner filed an appeal before the first respondent seeking cancellation of such patta on



03.07.2021.

3.Mr.K.S.Selvaganesan, learned counsel for the State, accepts notice on behalf of the first and second respondents. He submits that the first respondent may be directed to consider and dispose of the appeal on merits within a reasonable time frame.

4.Given the limited scope of the present Writ Petition, it is not necessary to enter findings on the merits thereof. The appeal before the first respondent has been filed about two (2) months ago. In any event, it is just and necessary that such appeal be dealt with expeditiously.

5.Accordingly, without going into the merits of the matter, the first respondent is directed to consider the petitioner's appeal dated 03.07.2021 and dispose of the same by a reasoned order in accordance with law within a period of four (4) months from the date of receipt of a copy of this order. Such reasoned order shall be passed after providing a reasonable opportunity to the petitioner, the third respondent herein and any other party to such appeal. On account of the fact that the merits of the matter have not been gone into and because the first respondent has been directed to hear the third respondent before passing orders, the Writ Petition is disposed of without notice to the private respondent.

6.Accordingly, W.P(MD).No.15593 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
Sub Collector,
Pattukkottai,
Thanjavur District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Tahsildar,
Pattukkottai Taluk Office,
Pattukkottai Taluk,
Thanjavur District.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-27928[F] dated 02/09/2021)

+1 CC to M/s.GP (SR-28061[F] dated 03/09/2021)

**W.P (MD) No.15593 of 2021
02.09.2021**

RS (13.09.2021) 3P 5C