



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.16309 of 2021

Selvaraj

... Petitioner

Vs.

1.The Revenue Divisional Officer,
The Revenue Divisional Office,
Ram Nagar, Devakottai,
Sivagangai District.

2.The Thasildar,
Thasildar Office,
Devakottai,
Sivagangai District.

3.Manjula

4.Dharmalingam

... 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 expedite the proceedings of case filed by the petitioner herein in Na.Ka.No.A1-3349/2020 which is pending for the past 1 ½ years before the 1st respondent herein within a stipulated time fixed by this Court.

For Petitioner : Mr.S.Muthukumar

For Respondents : Mr.K.S.Selvaganesan

Counsel for the State for R1 & R2

ORDER

The petitioner seeks the expeditious disposal of the appeal filed before the first respondent.

2. The petitioner states that he is in possession of the property bearing Survey No.133/1 of an extent of 1 acre and Survey No.133/2 of an extent of 47 cents at Kayavayal Village, Melasemponmari Group, Sivagangai District. According to the petitioner, the third and fourth respondents have fraudulently occupied the lands assigned to the petitioner. The SLR copy in the name of R.Arulandhu is cited and it is claimed that the petitioner is the legal heir of the said R.Arulandhu.



3. The petitioner refers to an appeal filed before the first respondent on 22.05.2020 and seeks the early disposal thereof.

4. Mr.K.S.Selvaganesan, learned counsel for the State, accepts notice on behalf of the first and second respondents. He submits that the petitioner has not enclosed the relevant documents in support of the present writ petition. Nevertheless, he submits that the first respondent may be directed to consider and dispose of the pending appeal on merits in accordance with law.

5. Apart from the village accounts reflecting the name of A.Arokiyam and R.Arulandhu, the only document filed by the petitioner is the appeal before the first respondent. However, in view of the limited scope of the present writ petition and keeping in mind the fact that an appeal was filed on 22.05.2020, it is not necessary to even *prima facie* examine the rights of the petitioner in respect of the relevant property. Keeping in mind the nature of order proposed to be issued, notice to the private respondents is dispensed with.

6. Accordingly, without going into the merits of the matter, the first respondent is directed to consider the appeal filed by the petitioner on 22.05.2020 and dispose of the same by a reasoned order within a period of three months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner, the third and fourth respondents herein and any other parties to such appeal.

7. W.P.(MD).No.16309 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (cs-i)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

To

1.The Revenue Divisional Officer,
The Revenue Divisional Office,
Ram Nagar, Devakottai,
Sivagangai District.



2.The Thasildar,
Thasildar Office,
Devakottai,
Sivagangai District.

+1 CC to M/s.SPL. GP (SR-29116[F] dated 15/09/2021)

+1 CC to M/s.S.MUTHUKUMAR, Advocate (SR-29263[F] dated 16/09/2021)

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.

W.P (MD) .No.16309 of 2021
14.09.2021

nsn(CO)
KB(28.09.2021) 3P 5C