



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.17320 of 2021

N.Sankararaj

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Madurai,
Madurai District.

3.The Tahsildar,
Madurai West,
Madurai District.

... Respondents

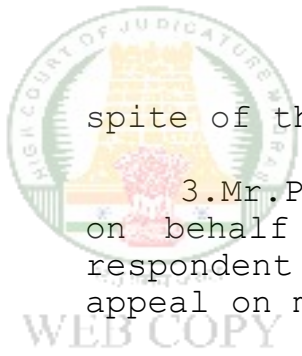
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to complete the proceedings filed by the petitioner in Na.Ka.No.1412/2018/B pending before the third respondent within the time stipulated by this Court.

For Petitioner : Mr.R.Venkatesan
For Respondents : Mr.P.Subbaraj
Counsel for State

ORDER

The petitioner seeks the early disposal of an appeal pending before the Revenue Divisional Officer against an order of the Tahsildar.

2.The petitioner claims ownership over the property bearing Town Survey Nos.14 and 15, Block 1, West Taluk, Madurai District. Pursuant to the purchase of the relevant property, the petitioner applied for a patta. In view of the alleged failure of the respondents to take action thereon, the petitioner filed W.P.(MD). No.10652 of 2011 before this Court. By order dated 20.09.2011, this Court directed the Tahsildar to pass orders on the petitioner's representation. An order dated 09.11.2011 was issued rejecting the petitioner's application for issuance of patta. The said order was assailed by filing an appeal before the jurisdictional Revenue Divisional Officer. In spite of issuing notices upon receipt of such appeal, it is stated that the said appeal continues to be pending in



spite of the lapse of several years.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the second respondent may be directed to consider and dispose of the pending appeal on merits and in accordance with law.

4.Given the limited scope of the present writ petition, it is not necessary to enter findings on the merits thereof. Instead, it is sufficient to direct the second respondent to consider and dispose of the pending appeal expeditiously after calling for any pending report in such regard from the third respondent.

5.Accordingly, without going into the merits of the matter, the second respondent is directed to consider the petitioner's appeal bearing No.488 of 2012 and dispose of the same by a reasoned order within a period of three (3) months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner and any other persons who would be affected by the outcome of such appeal.

6.W.P(MD).No.17320 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (AE)

// 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 District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Madurai,
Madurai District.



3.The Tahsildar,
Madurai West,
Madurai District.

+1 CC to M/s.R.VENKATESAN, Advocate (SR-30639[F] dated 29/09/2021)

+1 CC to M/s.SPL.GP (SR-30505[F] dated 28/09/2021)

**W.P (MD) .No.17320 of 2021
27.09.2021**

RS (04.10.2021) 3P 6C