



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.19344 of 2021

P.Raghuraman

.. Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Devakottai,
Sivagangai District.

2.The Tahsildar,
Tirupathur,
Sivagangai District.

3.Hariharan, (minor),
Represented by his natural guardian,
K.Pandiyan

.. Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, by directing the first respondent to dispose of petitioner's appeal petition dated 21.05.2021 as earliest within a time frame fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah

For R1 and R-2 : Mr.P.Subbaraj, Counsel for the State.

O R D E R

The petitioner seeks the early disposal of an appeal filed before the Revenue Divisional Officer for cancellation of Patta No.3794 issued to the third respondent herein.

2. The petitioner traces title to the properties covered by Patta No.3794 to his great-grandfather Vellaichamy. The petitioner relies upon the 'A' Register in the name of his great-grandfather Vellaichamy as regards Survey No.59/1. The petitioner also points out that the patta in respect of Survey No.59/1 was issued in the name of Kuppammal. The said Kuppammal is the wife of the petitioner's grandfather Karuppaiya Servai. The petitioner states that the patta was mutated recently in the name of the third respondent. Therefore, the petitioner submitted an appeal before the first respondent. The present writ petition is filed seeking the



early disposal thereof.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 and 2. He submits that the first respondent may be directed to consider and dispose of the appeal after providing a reasonable opportunity to the current pattadar.

4. Given the limited scope of this writ petition, it is not necessary to enter findings on the merits thereof. The petitioner has enclosed the extract of the 'A' Register and the earlier pattas prior to the issuance of the impugned Patta No.3794. On such basis, without entering any findings on the merits, he is entitled to the consideration of his appeal.

5. Accordingly, W.P(MD).No.19344 of 2021 is disposed of by directing the first respondent to consider the petitioner's appeal seeking cancellation of Patta No.3794. Such appeal shall be disposed of 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 respondent herein and any other persons who would be affected by the outcome thereof. There will be no order as to costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

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,
Office of the Revenue Divisional Office,
Devakottai,
Sivagangai District.

2.The Tahsildar,
Tirupathur,
Sivagangai District.



+1 CC to M/s.SPL.GP (SR-33194[F] dated 29/10/2021)

W.P (MD) No.19344 of 2021
28.10.2021

SAR (CO)

KB (16.11.2021) 3P 4C