



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.2957 of 2022

and

W.M.P.No.3118 of 2022

1. Karuppusamy
2. Krishnasamy

... Petitioners

-vs-

1. The District Collector,  
Coimbatore District,  
Coimbatore.
2. Revenue Divisional Officer,  
Coimbatore North, Koundampalayam,  
Coimbatore District - 641 030.
3. The Tahsildar,  
Office of the Tahsildar,  
Coimbatore North Taluk,  
Coimbatore District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 2<sup>nd</sup> respondent to consider and dispose of the Appeal in Oo.Mu.392/2020/A2 dated 05.02.2020 within the time frame fixed by this Court.

For Petitioners : M/S.Sugumar R.Rajulu

For Respondents : Mr.G.Nanmaran

Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the 2<sup>nd</sup> respondent to consider and dispose of the Appeal in Oo.Mu.392/2020/A2, dated 05.02.2020 within the time frame that may be fixed by this Court.

2. The case of the petitioners is that, the petitioners' paternal grandfather Nanjan owned an agricultural land of an extent of 4 acres and 99 cents in Survey No.425 at Nanjundapuram Village, Coimbatore District. The petitioners are the legal heirs of the aforesaid person. Thereafter a compromise decree dated 31.07.2018 was registered as Document



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No.6392/2019 in Sub Registrar's Office, Vadvalli. While so, an application for transfer of Patta was applied in the name of petitioners on 06.01.2020 before the 3<sup>rd</sup> respondent, and the 3<sup>rd</sup> respondent had rejected the petitioners application. Thereafter, the petitioners preferred an Appeal before the 2<sup>nd</sup> respondent on 03.02.2020, which was received by the 3<sup>rd</sup> respondent on 04.02.2020. Despite the fact, that the 2<sup>nd</sup> respondent has taken the Appeal and sent a communication to the 3<sup>rd</sup> respondent in Oo.Mu.392/2020/A2 dated 05.02.2020 calling for detailed report as to clarify, why the application for transfer of Patta has been rejected, along with the Village Records, there was no progress in the Appeal. Hence the present Writ Petition is filed.

3. Though very many grounds have been raised, learned counsel for the petitioners submits that it would suffice if this Court issues direction to the 2nd respondent to consider and dispose of the appeal dated 05.02.2020 and pass orders on the same within a particular time frame that may be fixed by this Court.

4. The learned Special Government Pleader appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 2nd respondents to consider and dispose of the appeal dated 05.02.2020 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after providing opportunity of hearing to the aggrieved person, if any.

6. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

jd/nhs  
To

1. The District Collector,  
Coimbatore District,  
Coimbatore.

2. Revenue Divisional Officer,  
Coimbatore North, Koundampalayam,  
Coimbatore District - 641 030.



3. The Tahsildar,  
Office of the Tahsildar,  
Coimbatore North Taluk,  
Coimbatore District.

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+1 cc to M/S.Sugumar R.Rajulu, Advocate Sr.NO. 10445

+1 cc to Government Pleader Sr.NO. 11562

W.P. No.2957 of 2022

and

W.M.P.No.3118 of 2022

gj (CO)

A.SK(15/03/2022)