



WEB COPY



W.P.No.30681 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.11.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.30681 of 2022

G.Palanisamy

... Petitioner

Vs.

1.The District Revenue Officer,
District Collectorate,
Krishnagiri.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Krishnagiri.

3.The Tahsildar,
Taluk Office,
Uthangarai Taluk,
Krishnagiri District.

4.S.Varadharajan

5.V.Suresh Kumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the Revision Petition dated 26.08.2022 filed by the petitioner, within a stipulated time as prescribed by this Court.

For Petitioner : Mr.A.Raghupathy Raj

For Respondent : Mr.U.Baranidharan



W.P.No.30681 of 2022

Additional Government Pleader

WEB COPY

ORDER

This Writ Petition has been filed to direct the 1st respondent to dispose of the Revision Petition dated 26.08.2022 filed by the petitioner, within a stipulated time as prescribed by this Court.

2.Since no adverse order is being passed as against the 4th and 5th respondents, notice to 4th and 5th respondents is dispensed with.

3.The case of the petitioner is that the petitioner's grandfather and great grandmother owned the properties in various survey numbers situated at Chennappanaickanoor, Uthangarai Taluk, Krishnagiri District. In the year 1983, there was an oral partition among the petitioner's father and his brother namely one S.Varadharajan/ 4th respondent, in respect of the property in Survey No.29/1B measuring an extent of 0.73.00 Hectares (1.80 Cents) in Chennappanaickanoor Village was allotted to petitioner's father and the UDR Patta was also issued jointly in the name of the petitioner's father and his brother in the year 1987. Suppressing the above said fact, the 4th respondent executed a Partition Deed registered as Doc.No.3106 of 2007 dated

03.09.2007 and a Settlement Deed in favour of his son namely one



W.P.No.30681 of 2022

Sureshkumar/ 5th respondent registered as Doc.No.2753 of 2015 on the file of the SRO, Uthangarai. On the basis of the above said Settlement Deed, the 5th respondent obtained patta in his favour. While so, the Inspector of Police, Uthangarai registered a case in FIR No.69/2017 u/s 145 Cr.P.C. As against the petitioner and the 4th respondent, which was later referred to the Revenue Divisional Officer, Krishnagiri/ 2nd respondent. An enquiry was conducted by the 2nd respondent and gave a finding dated 07.07.2017 directing the said Varadharajan and others to approach the Civil Court to prove their title based on the unregistered Muchalika dated 05.06.1988. The 3rd respondent sent a report dated 18.07.2016 to the District Collector, Krishnagiri stating that the Doc.No.3106 of 2007 and 2753 of 2015 were registered fraudulently and they are not valid documents. The petitioner preferred an appeal to the 2nd respondent on 16.07.2021 to cancel the patta transfer order. On which the 2nd respondent conducted an enquiry and called for a report from the 3rd respondent and the 3rd respondent sent a detailed report in Na.Ka.3670/2021/B-3 dated 12/2021 based on the Revenue Inspector's report dated 11.11.2021. The 2nd respondent without considering any of the report rejected the appeal filed by the petitioner on 22.08.2022. Aggrieved over the said order, the petitioner preferred a Revision Petition before the 1st respondent on 26.08.2022, whereas, the same is pending without any



W.P.No.30681 of 2022

progress, till date. Hence, the present Writ Petition.

WEB COPY

4.Learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 1st respondent to dispose of the Revision Petition dated 26.08.2022 filed by the petitioner and pass orders on the same within a particular time frame fixed by this Court.

5.Mr.U.Baranidharan, the Additional learned Government Advocate appearing for the respondents 1 to 3 submits that if any direction is given by this Court, the same will be complied with.

6.In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 1st respondent to dispose of the Revision Petition dated 26.08.2022 filed by the petitioner, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

7.This Writ Petition is accordingly is disposed of. No costs.



W.P.No.30681 of 2022

WEB COPY

18.11.2022

Index : Yes / No
Speaking order : Yes / No
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WEB COPY



W.P.No.30681 of 2022

M.DHANDAPANI, J.

gba

W.P.No.30681 of 2022

18.11.2022