



W.P.No.30244 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.30244 of 2022

Etti Gounder

... Petitioner

Vs.

1.The District Collector,
Office of the Collectorate,
Namakkal District.

2.The Revenue Divisional Officer,
Office of the Revenue Division,
Namakkal District.

3.The Sub Registrar,
Office of the Sub Registrar,
Thammampatty,
Namakkal.

4.Muthusamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the first respondent herein to dispose the petitioner's appeal dated 08.02.2022 by giving opportunity of personal hearing of the petitioner within a stipulated time frame and consequently direct the first respondent herein to issue a direction to the third



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respondent herein to cancel the Settlement deed dated 13.06.2005 executed by the petitioner vide Document No.700/2005, registered on the file of the third respondent.

For Petitioner : Mr.Camyles Gandhi

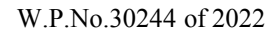
For Respondents 1 & 2 : Mr.U.Bharanidharan,
Additional Government Pleader

For Respondent 3 : Mr.G.Krishna Raja,
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for issuance of Writ of Mandamus directing the first respondent herein to dispose the petitioner's appeal dated 08.02.2022 by giving opportunity of personal hearing of the petitioner within a stipulated time frame and consequently direct the first respondent herein to issue a direction to the third respondent herein to cancel the Settlement deed dated 13.06.2005 executed by the petitioner vide Document No.700/2005, registered on the file of the third respondent.

2. At the consent of both the parties, this writ petition is taken up for



3. Since no adverse order is being passed against the fourth respondent, notice to the fourth respondent is dispensed with.

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Aggrieved over the same, the petitioner has preferred an appeal dated 08.02.2022 before the second respondent seeking for canceling the said registered settlement deed dated 13.06.2005 executed in favour of the fourth respondent. Hence, this writ petition.

5. Learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the first respondent to dispose the petitioner's appeal dated 08.02.2022 and consequently direct the first respondent to issue direction to the third respondent to cancel the Settlement Deed dated 13.06.2005 executed by the petitioner, within a time frame to be fixed by this Court.

6. Learned Additional Government Pleader appearing for the respondents has no objection for the said order being passed.

7. Heard the learned counsel on either side and perused the materials placed on record.



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8. Taking into the factual aspects, without going into the merits of the case, this Court issues direction to the first respondent to dispose the petitioner's appeal dated 08.02.2022 by affording reasonable opportunity of hearing to the petitioner as well as the fourth respondent and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

9. With the aforesaid direction, this writ petition is disposed of. No costs.

15.11.2022

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Index : Yes/No

Speaking Order : Yes/No

To:

1.The District Collector,
Office of the Collectorate,
Namakkal District.

2.The Revenue Divisional Officer,
Office of the Revenue Division,

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Namakkal District.

3. The Sub Registrar,
Office of the Sub Registrar,
Thammampatty,
Namakkal.

M.DHANDAPANI,J.

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