



W.P.No.31244 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.31244 of 2022

N.Santhappan

... Petitioner

Vs.

1.The District Revenue Officer,
O/o. The District Collector,
Villupuram,
Villupuram District.

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

3.The Tahsildar,
Vikravandi Taluk,
Villupuram District.

4.S.Kanagaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to dispose of the petitioner's appeal dated 27.08.2019 on the file of the 2nd respondent expeditiously in accordance with law.

For Petitioner : Mr.K.Balaji



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For Respondents : Mr.U.Bharanidharan,
Additional Government Pleader

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ORDER

The petitioner has filed this petition for issuance of Writ of Mandamus directing the respondents 1 to 3 to dispose of the petitioner's appeal dated 27.08.2019 on the file of the 2nd respondent expeditiously in accordance with law.

2. With the consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

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

4. The case of the petitioner is that the petitioner's father purchased an agricultural land comprised in S.No.264/4, Karuvachi Village, Vikravandi Taluk, Villupuram District vide registered Sale Deed dated 10.06.1944 as Doc.No.1864 of 1944 and during his life time, he has sold a part of the said



property to the third party and retained an extent of 19.00 acres as sub division S.No.264/4A. After his demise, the petitioner succeeded the property. The petitioner leased out the property orally to the fourth respondent. Suddenly, the fourth respondent started claiming that his father is the owner of the property. Therefore, the petitioner verified the revenue records and came to know that the third respondent has issued patta No.313 by including the petitioner's property i.e., S.No.264/4A – 19.00 acres in the name of fourth respondent's father without conducting any enquiry or issuing any notice.

4.1. While so, the petitioner preferred an appeal dated 27.08.2019 before the second respondent to set aside the alleged patta and restore the patta in his name. In pursuant to the appeal, the second respondent taken the matter in Ref.O.MU.a3/4882/2019 and called for the report from the third respondent. After enquiry, the third respondent submitted the report dated 23.02.2021 and the same is pending before the appellate authority/second respondent. Aggrieved over the same, the petitioner has filed this writ petition.



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5. Learned counsel for the petitioner would submit that it would suffice if this Court issues direction to the second respondent to dispose of the petitioner's appeal dated 27.08.2019 within a time frame that may be fixed by this Court.

6. Learned Additional Government Pleader appearing for the respondents would submit that he has no objection for the said direction being passed by this Court.

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

8. Taking into consideration the facts and circumstances of the case, this Court, without going into the merits of the case, directs the second respondent to dispose the petitioner's appeal dated 27.08.2019 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.



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

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Index : Yes/No

Speaking Order : Yes/No

To:

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Villupuram District.
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M.DHANDAPANI,J.

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