



W.P.No.31680 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2022

CORAM:

THE HONOURABLE MR. JUSTICE **M.DHANDAPANI**

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V.Manimaran

... Petitioner

Vs.

1. The District Revenue Officer,
Collectorate,
Villupuram District 605 602.
2. The District Revenue Officer,
Collectorate,
Kallakurichi District 606 202.
3. The Revenue Divisional Officer,
Kachirapalaiyam Road,
Kallakurichi District 606 202.
4. The Tahsildar,
Chinna Salem Taluk,
Kallakurichi District 606 201.

5. P.Ayyamperumal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus, directing the second



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respondent to dispose of the Appeal Petition filed by the fifth respondent, dated nil... 2012, based on the petitioner's representation dated 18.10.2022 in accordance with law, within a stipulated time may be fixed by the Hon'ble High Court.

For Petitioner	:	Mr.J.Agni Selvaraju
For R1 to R4	:	Mr.U.Bharanidharan Additional Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the second respondent to dispose of the Appeal Petition filed by the fifth respondent, dated nil... 2012 based on the petitioner's representation dated 18.10.2022 in accordance with law, within a stipulated time may be fixed by this Court.

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

3. The case of the petitioner is that, on 21.12.2011, the petitioner had purchased the property from one Mrs.Pappal, comprised in S.No.348/4, and the same was registered as Doc.No.5770 of 2011 on the



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file of Sub-Registrar Office, Chinna Salem. Subsequent, to the purchase of the aforesaid property, the petitioner is in peaceful possession and enjoyment of the same. While so, it is alleged that the fifth respondent obtained Patta in his name by way of fabricated documents, pursuant to which, the petitioner filed a petition before the third respondent/Revenue Divisional Officer, for cancellation of the above said forged Patta in favour of the fifth respondent. However, the same was cancelled by the third respondent's vide Proceedings Na.Ka.No.A4/2478/2012 dated 12.07.2012 and issued Patta No.1571 in favour of the petitioner. Subsequently, the fifth respondent and his family members filed a Civil Suit in O.S.No.294 of 2012 on the file of II Additional District Munsif Court, Kallakurichi and the same was dismissed on 10.03.2022 and held in favour of the petitioner. Thereafter, the petitioner approached the fourth respondent/Tahsildar dated 16.03.2022, for mutation of Revenue Records in favour of the petitioner along with all relevant documents, however, the fourth respondent refused to entertain the petitioner's representation on the ground that the fifth respondent preferred revision petition before the first and second respondents. Since the first and second respondents have not disposed of the said revision petition. Hence, the petitioner preferred



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another representation dated 18.10.2022 before the second respondent to dispose of the appeal petition dated nil... 2012 filed by the fifth respondent. However, till date no order has been passed by the second respondent. Hence, the petitioner filed the present Writ Petition.

4. The learned counsel for the petitioner submitted that it would suffice, if this Court issues a direction to the second respondent to dispose of the revision petition dated nil...2012 filed by the fifth respondent on considering the petitioner's representation dated 18.10.2022 and pass order on the same within a stipulated time that to be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents 1 to 4 has no objection for the said order being passed.

6. Considering the limited request made by the petitioner, this Court is inclined to issue a direction to the second respondent to dispose of the revision petition dated nil...2012 filed by the fifth respondent on considering the petitioner's representation dated 18.10.2022 and pass appropriate orders on merits and in accordance with law, after



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affording an opportunity of hearing to the petitioner and the private respondent herein, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observations and direction, this Writ Petition is disposed of. No costs.

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Index: Yes/No

Speaking Order : Yes/ No

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