



W.P.No.32943 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.32943 of 2022

K.Radhakrishnan
S/o.Late. Kalrayan

... Petitioner

-Vs-

1. The District Revenue Officer,
Villupuram District,
Villupuram.

2. The Tahsildar,
Tindivanam Taluk,
Villupuram District.

... Respondents

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's appeal dated 14.12.2021 within stipulated period consequently direct the 2nd respondent to issue a patta in Survey No.42/2C 0.43. cents in old patta No.68 at Kiz Malaiyanur Village, Tindivanam Taluk, Villupuram District to the petitioner's name.

For Petitioner : Mr.S.L.Venkatesan

For Respondent : Mrs.N.Senthilselvi
Government Advocate



W.P.No.32943 of 2022

ORDER

The prayer sought for herein is for a writ of mandamus directing 1st respondent to consider the petitioner's appeal dated 14.12.2021 and consequently direct the 2nd respondent to issue a patta in the name of the petitioner for Survey No.42/2C 0.43. cents in old patta No.68 at Kiz Malaiyanur Village, Tindivanam Taluk, Villupuram District.

2. As against the order passed by the second respondent dated 19.11.2021 for grant of patta to the petitioner's land as claimed by the petitioner, he has preferred an appeal before the first respondent on 14.12.2021 under Section 12 of the Patta Pass Book Act, 1983.

3. Though the said appeal was filed almost a year back, so far it has not been considered by the first respondent, hence the petitioner has moved the present writ petition with the aforesaid prayer.

4. Reiterating the aforesaid Mr.S.L.Venkatesan, learned counsel appearing for the petitioner submits that, if a direction is given to the first respondent to decide the appeal at the earliest, the petitioner would be satisfied.



W.P.No.32943 of 2022

5. Heard Mrs.N.Senthilselvi, learned Government Advocate appearing for the respondents, who would submit that, if the appeal is still pending, the same would be considered and decided on merits after giving an opportunity of being heard to the petitioner as well as any third parties whose presence is required, on merits and in accordance with law within a time frame that may be stipulated by this Court.

6. Having regard to the said submission made by both sides and taking note of the innocuous nature of prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the first respondent to decide the appeal dated 14.12.2021 filed by the petitioner against the order of the second respondent dated 19.11.2021 after giving an opportunity of being heard to the petitioner and other parties, if any on merits and in accordance with law within a period of six(6) weeks from the date of receipt of a copy of this order.



W.P.No.32943 of 2022

WEB COPY

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

08.12.2022

Index : Yes/No

Speaking Order : Yes/No

mp

To

1. The District Revenue Officer,
Villupuram District,
Villupuram.
2. The Tahsildar,
Tindivanam Taluk,
Villupuram District.



WEB COPY



W.P.No.32943 of 2022

R. SURESH KUMAR, J.

mp

W.P.No. 32943 of 2022

08.12.2022