



W.P.No.33928 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.33928 of 2022

Sree Rajendra Mills Ltd.,
Rep. By its Authorized Signatory
Mr.M.Sekar,
Leigh Bazaar, P.B.No.901,
Gandhi Nagar, Salem – 9.

... Petitioner

Vs

- 1.The Revenue Divisional Officer,
Salem.
- 2.The Tahsildar,
Salem West, Salem.
- 3.The Deputy Tahsildar,
Salem West, Salem.
- 4.The Sub – Inspector of Survey
Salem Corporation.
- 5.The Commissioner,
Salem City Municipal Corporation
- 6.M/s.Akilandeswari Mills Ltd.,
Leigh Bazaar,
Gandhi Nagar, Salem – 9.

... Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to pass orders on the petitioner's Appeal Proc.No.2952/2022/A3, dated 28.06.2022 pending on its file.

For Petitioner : Mr.AR.M.Arunachalam

For Respondents : Mrs.N.Senthil Selvi
Government Advocate for R1 to R4
: Mrs.N.Devi
Standing Counsel for R5

ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to pass orders on the petitioner's Appeal Proc.No.2952/2022/A3, dated 28.06.2022 pending on its file.

2. As against the order of rejection passed by the Tahsildar/2nd respondent dated 10.06.2022 refusing the request made by the petitioner for mutation in revenue records, the petitioner preferred appeal under Section 12 of the Patta Passbook Act, 1983 to the 1st respondent on 15.06.2022. The said appeal since so far has not been considered and decided, therefore in order to seek a direction to the 1st respondent to decide the appeal on merits at the earliest and dispose the same, the present writ petition has been filed.



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3. Heard Mr.AR.M.Arunachalam, learned counsel appearing for the petitioner, Mrs.N.Senthil Selvi, learned Government Advocate appearing for respondents 1 to 4 and Mrs.N.Devi, learned Standing Counsel appearing for the 5th respondent.

4. In view of the order going to be passed in this writ petition, notice to the 6th respondent is dispensed with.

5. Since the appeal has been pending with the 1st respondent since 15.06.2022 and having regard to the aforesaid facts, this Court can pass the following order to meet the ends of justice.

There shall be a direction to the 1st respondent to decide the appeal filed by the petitioner dated 15.06.2022 against the order passed by the 2nd respondent dated 10.06.2022 and decide the same on merits and in accordance with law after hearing both the petitioner as well as the private respondent herein within a period of six weeks from the date of receipt of a copy of this order.



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6. With this direction, this Writ Petition is disposed of. No costs.

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19.12.2022

Sgl

To

- 1.The Revenue Divisional Officer,
Salem.
- 2.The Tahsildar,
Salem West, Salem.
- 3.The Deputy Tahsildar,
Salem West, Salem.
- 4.The Sub – Inspector of Survey
Salem Corporation.
- 5.The Commissioner,
Salem City Municipal Corporation



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R.SURESH KUMAR, J.

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