



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.684 of 2022

WEB COPY

1.Dr.S.Jaikish

2.Dr.C.Geethasankari

... Petitioners

vs.

1.The District Revenue Officer,
Old Collectorate Building,
Tiruchirapalli 620001.

2.The Zonal Deputy Thasildhar,
Tiruchirapalli East Taluk,
Devadhanam Village,
Tiruchirapalli 620002.

3.Vineet M Patel

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to dispose of the petitioners' appeal dated 19.03.2021 within a stipulated time frame.

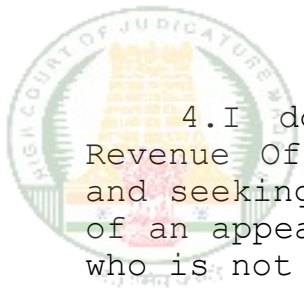
For Petitioners	: Mr.V.R.Mukunda Kumar
For R1 and R2	: Mr.S.Kameswaran
	Government Pleader

O R D E R

This petition has been filed in the nature of Writ of Mandamus, seeking a direction against the first respondent to dispose of an appeal filed by the petitioners on 19.03.2021.

2.Heard the learned counsel for the petitioners and also Mr.S.Kameswaran, learned Government Advocate, who had taken notice on behalf of the first and second respondents. In view of the nature of the order passed, notice is not directed to the third respondent.

3.It is pointed out and as a matter of fact it is evident from the copy of the appeal which is also filed as a document along with the writ petition that it had been filed only before the Revenue Divisional Officer at Trichy and not before the first respondent herein. The said Revenue Divisional Officer has not been made a party to the present writ petition. Reasons are known only to the petitioners. The said Revenue Divisional Officer had also issued notice for enquiry and it is informed that the petitioners had appeared during the enquiry.



4.I do not find the reason behind impleading the District Revenue Officer and not impleading the Revenue Divisional Officer and seeking an order against the District Revenue Officer to dispose of an appeal which is pending before the Revenue Divisional Officer, who is not a party to the writ petition.

5.It is also informed that the third respondent in whose name the patta now stands, has also filed a suit in O.S.No.779 of 2021 before the Sub Court at Trichy seeking a relief not to grant patta to the petitioners herein.

6.In view of the same, this Court can never issue a Mandamus to the District Revenue Officer. The Writ Petition is dismissed. I am confident that the Revenue Divisional Officer would proceed with the appeal, but however, he should also be mindful of the pendency of the suit in O.S.No.779 of 2021 before the Sub Court at Trichy. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Subordinate Judge,
Trichy.
- 2.The District Revenue Officer,
Old Collectorate Building,
Tiruchirapalli 620001.
- 3.The Zonal Deputy Thasildhar,
Tiruchirapalli East Taluk,
Devadhanam Village,
Tiruchirapalli 620002.



COPY TO:

THE REVENUE DIVISIONAL OFFICER,
TRICHY.

+1 CC to M/s.SPL GP (SR-1898[F] dated 20/01/2022)

W.P. (MD) No.684 of 2022
19.01.2022

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NA (CO)

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