



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.2760 of 2022

T.Rajan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

2.The Tahsildar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

3.M.Thiravium

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent "to proceed with the enquiry on the file Na.Ka.No.4076/2019/A.3" and pass appropriate orders "cancelling the sub-division made for 20 cents land in favour of the third respondent, out of the total 112 cents of land in Survey No.358/1C" and restoring the original extent of 112 cents in Survey No.358/1C in Usilampatti, Madurai District in the name of the petitioner's mother Lakshmi within a time limit to be fixed by this Court.

For Petitioner	:	Mr.T.Sakthikumaran
For R-1 and R-2	:	Mr.T.Amjad Khan
		Government Advocate.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to proceed with the enquiry on the file in Na.Ka.No.4076/2019/A.3 and pass appropriate orders cancelling the sub division for 20 cents land in favour of the third respondent out of the total 112 cents in Survey No.358/1C and restoring the original extent of 112 cents in Survey No.358/1C in Usilampatti, Madurai District in the name of the petitioner's mother Lakshmi within a time limit to be fixed by this Court.

2. The aforementioned appeal in Na.Ka.No.4076/2019/A.3 is pending on the file of the first respondent. The petitioner seeks early disposal of the said appeal. The petitioner has filed the appeal in the year 2019 and since it is pending for more than two years, the petitioner seeks for early disposal of the said appeal.



3. Heard Mr.T.Sakthikumaran, learned counsel for the petitioner and Mr.T.Amjad Khan, learned Government Advocate who accepts notice on behalf of the first and second respondents.

4. No prejudice will be caused to the respondents if the petitioner's appeal is disposed of on merits and in accordance with law after affording a fair hearing to the petitioner as well as the third respondent and any other parties, if any. Therefore, this Court directs the first respondent to dispose of the appeal filed by the petitioner which is pending on his file in Na.Ka.No.4076/2019/A.3 and pass appropriate orders on merits and in accordance with law after affording a fair hearing to the petitioner and the third respondent and any other necessary parties, if any, within a period of three (3) months from the date of receipt of a copy of this order.

5. With the aforesaid directions, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Deputy Registrar (LA&MC)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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 Revenue Divisional Officer,
Usilampatti, Madurai District.

2.The Tahsildar, Usilampatti Taluk,
Usilampatti, Madurai District.

+1 CC to M/s.A.THIRUMURTHY, Advocate (SR-5485[F] dated 10/02/2022)
+1 CC to M/s.SPL.GP (SR-5738[F] dated 11/02/2022)

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RD(08.03.2022) 2P 5C