



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3280 of 2022

and

W.M.P. [MD]No.2882 of 2022

WEB COPY

Muthuraman

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Illupur,
Pudukottai District.

2.The Tahsildar,
Ponnamaravathi Taluk,
Pudukottai District.

3.Ramanathan
4.Alagappan
5.Chidambaram
6.Mani

... 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 petitioner's Appeal dated 01.10.2021 within a time frame expeditiously and consequentially take necessary action to stop the illegal activities of the respondents 3 to 6 in property comprised in Survey No.91/5A situated at Moolangudi Village, Ponnamaravathi Taluk, Pudukkottai District while pending first respondent enquiry.

For Petitioner : Mr.P.Vimaladevi

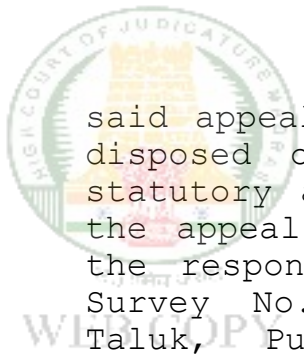
For Respondents 1 & 2 : Mr.M.Lingadurai

Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to dispose of the petitioner's appeal dated 01.10.2021 within a time frame to be fixed by this Court and consequentially take necessary action to stop the illegal activities of the respondents 3 to 6 in respect of the property comprised in Survey No.91/5A situated at Moolangudi Village, Ponnamaravathi Taluk, Pudukkottai District.

2.It is the case of the petitioner that the petitioner has preferred the statutory appeal under the Patta Passbook Act before the first respondent, aggrieved by the grant of patta in favour of the respondents 3 to 6. It is the case of the petitioner that the



said appeal was filed on 01.10.2021 but till date it has not been disposed of. The petitioner seeks for early disposal of the statutory appeal. He has also sought for a consequential order in the appeal requesting the first respondent to take action against the respondents 3 to 6 in respect of the property comprised in Survey No.91/5A situated at Moolangudi Village, Ponnamaravathi Taluk, Pudukkottai District, for which property they have fraudulently and illegally obtained a patta.

3. Heard Mr.P.Vimaladevi, learned Counsel appearing for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the respondents 1 and 2.

4. According to the petitioner, the respondents 3 to 6 have fraudulently obtained a patta in their name for the aforementioned property. Aggrieved by the same, the petitioner has preferred the statutory appeal under Patta Passbook Act on 01.10.2021 which is still pending. The petitioner seeks for early disposal of the said appeal. The petitioner has also requested the first respondent to take action against the respondents 3 to 6 for fraudulently obtaining a patta in their name.

5. No prejudice would be caused to the respondents if the petitioner's statutory appeal dated 01.10.2021 is considered on merits and in accordance with law after hearing the petitioner as well as the rival claimants, if any, within a time frame to be fixed by this Court.

6. Accordingly, this Court directs the first respondent to dispose of the petitioner's statutory appeal dated 01.10.2021 within a period of three [3] months from the date of receipt of a copy of this order after affording a fair opportunity of hearing to the petitioner and the respondents 3 to 6 and any other rival claimants.

7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

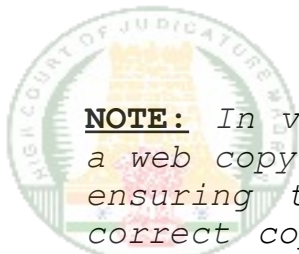
Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

MR



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.

WEB COPY

To

1.The Revenue Divisional Officer,
Illupur,
Pudukottai District.

2.The Tahsildar,
Ponnamaravathi Taluk,
Pudukottai District.

+1 CC to M/s.SPL GP (SR-8326[F] dated 24/02/2022)

ORDER MADE IN
W.P. [MD]No.3280 of 2022
22.02.2022

NSN (CO)
GC (08.03.2022) 3P 4C