

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.21513 of 2022

Manickarasu

... Petitioner

VS.

The Revenue Divisional Officer,
Pudukkottai District,
Pudukkottai.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to dispose the petitioner's appeal No.Oo.Mu.A4/613/2020, dated 25.02.2020, renumbered as Na.Ka.No.497/A4/2022, on 17.05.2022 within the time stipulated by this Court.

For Petitioner : Mr.G.Mathavan

For Respondent : Mr.A.Kannan

Additional Government Pleader

ORDER

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the respondent to dispose the petitioner's appeal No.Oo.Mu.A4/613/2020, dated 25.02.2020, which was renumbered as Na.Ka.No.497/A4/2022, dated 17.05.2022.

2. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioner is that there is an ancestral property in Survey No.253/2 to an extent of 6.10 acre at Punakulam Village, Kandarvakottai Taluk, Pudukkottai. In the year 2022, for Survey No. 253/2B, Patta was issued in the name of the petitioner to an extent of 1.22.5 Ares. Similarly, for Survey No.253/2A, Patta was issued in favour of the petitioner's brother viz., S.Dharmarasu, who changed the Patta stands in the name of the petitioner to his name. Initially, the petitioner has filed an appeal in the year 2010. Thereafter, his brother died and his legal heirs are proposed to settle the issue with the petitioner. Subsequently, they failed to act upon the words. In the meantime, in the

Patta, one Rayappan name was wrongly included by the revenue authorities. Therefore, once again the petitioner has filed an appeal for cancellation of Patta and to restore his name in the Patta on 31.01.2020, before the respondent and the same was taken on file in Oo.Mu.A4/613/2020, dated 25.02.2020. Thereafter, a memorandum was sent to the Tahsildar, Kandarvakottai, Pudukkottai District to conduct an enquiry and file a report before the respondent. Subsequently, in Na.Ka.No.497/A4/2022, dated 17.05.2022 and 03.06.2022, an enquiry notice was sent to the petitioner, directing him to appear before the respondent along with necessary documents. Accordingly, the petitioner was also appeared before the respondent and submit all the relevant records. The Tahsildar, Kandarvakottai has also given a recommendation to the Revenue Divisional Officer, Pudukkottai District on 04.01.2022, for deleting the name of one Rayappan. Even thereafter no final order was passed by the respondent till date. Hence, the petitioner has approached this Court by filing this writ petition.

4. Mr.A.Kannan, learned Additional Government Pleader appearing for the respondent would submit that the appeal filed by the petitioner will be disposed of, in accordance with law.

5. In view of the above, this Court directs the respondent to dispose of the appeal No.Oo.Mu.A4/613/2020, dated 25.02.2020, which was renumbered as Na.Ka.No.497/A4/2022, dated 17.05.2022, on merits and in accordance with law, after affording an opportunity to the concerned parties, within a period of eight weeks from the date of receipt of a copy of this order.

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

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Index:Yes/No
Internet:Yes/No

akv

To

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akv

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