



W.P.(MD)No.25196 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25196 of 2022

S.Rakkammal

... Petitioner

Vs

- 1.The District Revenue Officer,
Office of the District Revenue Officer,
Sivagangai.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai, Sivagangai District.
- 3.The Tahsildar,
Taluk Office,
Ilayangudi,
Sivagangai District.

... 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 dispose of Appeal No.Na.Ka.A3/8017/2020, arising out of Patta proceedings in a time bound manner, based on the petitioner's representation, dated 20.09.2022.

For Petitioner : Mr.S.Gopinath

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader



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ORDER

WEB COPY The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to dispose of Appeal No.Na.Ka.A3/8017/2020, arising out of Patta proceedings in a time bound manner, based on her representation, dated 20.09.2022.

2. Heard Mr.S.Gopinath, learned counsel appearing for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader, who takes notice for the respondents. By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, the property in S.No.39/9, measuring an extent of 0.72.0 Ares, situated at Thiruvallur Revenue Group, Ilayangudi Taluk, Sivangangai District, originally belonged to the petitioner's grandfather - Aandi Konar. His grandfather sold 1 Acre and 18 Cents in the said property to one Abdul Rahim, Alagu, Alangaramadha and Arulsamy. The petitioner and other legal heirs are in the possession and enjoyment of the remaining properties. While so, the third respondent without considering the title over the property, wrongly issued Patta in favour of them for the entire extent of the property namely, 0.72.0 Ares, vide his proceedings, dated 29.07.2003 and 08.08.2005. Against the said order of the third respondent, the petitioner and



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two others filed an appeal before the second respondent and the second respondent, allowed the said appeal, vide his proceedings dated 15.12.2021. As against the order of the second respondent, one Ramasangu filed an appeal before the first respondent and the same was numbered as Na.Ka.B1/1611/2022 and after notice, the first respondent has not fixed the date for hearing the appeal. Hence, the petitioner sent a detailed representation dated 20.09.2022 to the first respondent to dispose of the said appeal. However, the same has not been considered so far. Therefore, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra for the relief stated supra.

4. The learned Additional Government Pleader appearing for the respondents submitted that the appeal would be considered and appropriate orders would be passed on merits and in accordance with law, within a time frame.

5. Recording the aforesaid submission made by the learned Additional Government Pleader appearing for the respondents, this Court, without going into the merits of the matter, directs the first respondent to consider and dispose of Appeal No.Na.Ka.B1/1611/2022, on merits and in



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accordance with law, after providing an opportunity of hearing to all the necessary parties concerned, within a period of six months from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No
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07.11.2022

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V.BHAVANI SUBBAROYAN, J.

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