



W.P.(MD)No.25186 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25186 of 2022

G.Antony Raj

... Petitioner

Vs

The Revenue Divisional Officer,
O/o. the Revenue Divisional Office,
No.32A, Ettayapuram Road,
Illuppayurani Village,
Kovilpatti Taluk,
Tuticorin District – 628 501.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to dispose of the appeal filed by petitioner before the respondent in Appeal No. 7709/2020, dated 05.11.2020, on the basis of his representation dated 27.09.2022, within a time frame as may be fixed by this Hon'ble Court.

For Petitioner : Mr.M.Ponniah

For Respondent : Ms.K.Christy Theboral
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondent to dispose of the appeal filed by him in Appeal No.7709/2020,



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dated 05.11.2020, on the basis of his representation dated 27.09.2022, within a time frame.

2. Heard Mr.M.Ponniah, learned counsel appearing for the petitioner and Ms.K.Christy Theboral, learned Additional Government Pleader, who takes notice for the respondent. By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, his father – A.Gananapragasam executed two registered settlement deeds, bearing Document Nos.465 of 2004 and 466 of 2004, dated 12.07.2004, in respect of the property in S.No.266/16A, situated at Kamanayakkanpatti Village, Kayathar Taluk, Tuticorin District. From the said date onwards, the petitioner is in peaceful possession and enjoyment of the said property. The revenue records stood in the name of his great paternal uncle Augustin and his three brothers, including the petitioner's father. However, without any notice to the petitioner's father and the petitioner, the Tahsildar, Kayathar Taluk, Tuticorin District, and the President, Kamanayakkanpatti Panchayat, Kayathar Taluk, Tuticorin District, deleted the name of Augustin and the petitioner's father Gananapragasam from the Revenue Records and the names of Bhakiyanathan and I.Rajammal, W/o.Innasi Muthu @ Chinnaraj were illegally mutated as if they are the owners of the said



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properties. Hence, as against the illegal name transfer by the then Tahsildar, the petitioner filed W.P.(MD)No.7907 of 2020 before this Court. This Court, vide order dated 10.09.2020, disposed of the said Writ Petition, directing the Tahsildar, Kayathar Taluk, to dispose of the petition mentioned petition within a period of three weeks from the date of receipt of a copy of that order. As per the order of this Court, the Tahsildar, Kayathar Taluk, issued copies of the impugned Patta transfer to the petitioner. After receiving the records, the petitioner preferred an appeal before the respondent in Appeal No.7709 of 2020, dated 05.11.2020 and the said appeal is pending without even commencing the enquiry proceedings. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

4. The learned Additional Government Pleader appearing for the respondent submitted that the petitioner's Appeal No.7709 of 2020, dated 05.11.2020, would be disposed of 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 respondent, this Court, without going into the merits of the case, directs the respondent to dispose of



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the petitioner's Appeal No.7709 of 2020, dated 05.11.2020, on merits and in accordance with law, after providing an opportunity of hearing to all the necessary parties, within a period of 16 weeks from the date of receipt of a copy of this order.

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

07.11.2022

Index : Yes/No
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To

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V.BHAVANI SUBBAROYAN, J.

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