



W.P.(MD)No.25230 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25230 of 2022

Abdul Salam Ibrahim

... Petitioner

Vs

The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

... 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 the appeal in NA.KA.B6/36261/2019, on the file of the respondent within a time frame to be fixed by this Court.

For Petitioner : Mr.JM.Hassanul Bazari

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

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondent to dispose the appeal in NA.KA.B6/36261/2019, on the file of the respondent within a time frame to be fixed by this Court.



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

3. The learned counsel appearing for the petitioner would submit that the property in Survey No.508/5A to an extent of 63 cents, in Erwadi Group and Village, Kilakarai Taluk is originally belonged to petitioner's father Sulthan Syed Ibrahim. Petitioner executed a sale deed in favour of Mohamed Ummal to an extent of 22 cents in eastern side, the predecessors of the petitioners were buried in 7 cents remaining 33 cents alone in the hand of the petitioner's father, but, petitioner's father had executed sale deed in favour of Mohamed Yusuf to an extent of 50 cents. On 23.03.1973 the petitioner and his brother were jointly purchased the property. Without partition between them, his brother had executed sale deed to one Abdul Kader to an extent of 10 cents. Hence, the said Abdul Kader filed a partition and obtained decree. Remaining property is in the hands of the petitioner. The petitioner approached the Revenue Authorities and seeking to issue patta in his favour. On 03.08.2018, the petitioner filed an appeal before the respondent, the same was taken on file in



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Na.Ka.B6/36261/2019. On 07.08.2019 the petitioner received the notice from the respondent indicating that the appeal has been posted on 30.08.2019 for enquiry. The petitioner's advocate approached the respondent several times, for past 3 years in person, but the respondent did not call for the records and never come forward to dispose the appeal in Na.Ka.B6'36261/2019. Because of the inordinate delay and inaction of the respondent, the petitioner put to untold mental agony and hardship. 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 submits that appropriate direction may be given to the respondent to consider the petitioner's appeal in accordance with law, within a time frame.

5.Considering the limited scope of the prayer sought for by the petitioner, this Court directs the respondent to consider the appeal of the petitioner, dated 03.08.2018 in Na.Ka.No.B6/36261/2018 and pass appropriate orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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

costs.

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Index : Yes/No
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To

The District Revenue Officer,
Ramanathapuram District,
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V.BHAVANI SUBBAROYAN, J.

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