



W.P(MD)No.25568 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25568 of 2022

G.Arumugam

..Petitioner

Vs

1.The District Revenue Officer,
Dindigul District, Dindigul.

2.The Revenue Divisional Officer,
Palani Revenue Division,
Palani, Dindigul District.

3.The Tahsildar,
Palani Taluk, Palani,
Dindigul 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 the appeal, dated 19.12.2020 preferred by against the order of the second respondent vide Na.Ka.No.9360/2017/A1, dated 23.11.2020 pending on the file of the first respondent till date within the time frame.

For Petitioner : Mr.Raja Karthikeyan



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For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the first respondent to dispose of the appeal, dated 19.12.2020 preferred by against the order of the second respondent vide Na.Ka.No. 9360/2017/A1, dated 23.11.2020 pending on the file of the first respondent till date within the time frame.

2.Mr.D.Gandhiraj, learned Special Government Pleader takes notice for the respondents 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the Petitioner is that the property in S.No.83/3A2 situated at Muthunayakampaaty Village, Plani Taluk, Dindigul District was acquired by the mother of the petitioner from his grandmother. After her demise, the petitioner is in possession and enjoyment of the same. One Solaimuthu claimed right over the said property based on the wrong entries made in the UDR survey.



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4.The learned counsel for the petitioner submitted that the subject property is his mother's property. One Solaimuthu by creating fraudulent documents claims that the property was purchased by his grandfather. Hence, the petitioner preferred an appeal before the second respondent to correct the village revenue records and to grant patta. Since no order has been passed on the same by the second respondent even after the enquiry, he filed W.P.(MD)No.16513 of 2020 seeking to dispose of the appeal. The said writ petition was disposed stating that the Revenue Divisional Officer had already passed an order in this matter granting liberty to the petitioner to prefer an appeal, if he is aggrieved. Hence, the petitioner has filed the present appeal on 19.12.2020 against the order of the second respondent dated, 23.11.2020. The same is pending without any progress before the first respondent. Hence, the petitioner has filed the present writ petition.

5.The learned Special Government Pleader appearing for the respondents would submit that the Petitioner's appeal will be disposed of in accordance with law by the first respondent within the time stipulated by this Court.



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6. In view of the above said submission, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to dispose of the appeal, dated 19.12.2020 preferred by the Petitioner as against the order of the second respondent, dated 23.11.2020 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of 16 weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ Petition stands disposed of. No costs.

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Index : Yes/No

Internet: Yes/No

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To

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V.BHAVANI SUBBAROYAN,J

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