



W.P.(MD)No.25885 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25885 of 2022

Alagarsamy, S/o.Perumal Naicker

... Petitioner

Vs

1.The Revenue Divisional Officer,
Sankarankovil,
Tenkasi District.

2.The Tahsildar,
Thiruvengadam Taluk,
Thiruvengadam,
Tenkasi 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 the petitioner's appeal petition, dated 16.07.2021, seeking to set aside the Patta granted for Survey No.619/1B and issue fresh Patta, correcting the extent as 4 cents instead of 7.41 cents.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.A.Kannan
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to dispose his appeal petition, dated 16.07.2021, seeking to



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set aside the Patta granted for Survey No.619/1B and issue fresh Patta, correcting the extent as 4 cents instead of 7.41 cents.

2. Heard Mr.R.J.Karthick, learned counsel appearing for the petitioner and Mr.A.Kannan, 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 learned counsel for the petitioner, the petitioner and his brothers namely, Jegannathan, Ponraj and Jeyapaul had purchased the property bearing S.No.619, measuring an extent of 2 Acres and 78 Cents out of 2 Acres and 82 Cents, situated at Nalandula Village, Sankarankovil Taluk [presently, Thiruvengadam Taluk], Tenkasi District, vide registered sale deed, 16.08.1993. Thereafter, the petitioner's brothers had executed a registered release deed, dated 13.10.2000, in favour of the petitioner.

4. Further, according to the learned counsel for the petitioner, the predecessor-in-title had executed a registered gift deed, dated 18.10.1973, measuring an extent of 4 cents alone to the Panchayat Union. However, the second respondent had issued Patta, bearing Patta No.173, measuring an extent of 7.41 cents in favour of the Panchayat Union, by assigning Sub-Division No.



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619/1B. Hence, the petitioner filed an appeal, dated 16.07.2021, before the first respondent and the same was taken on file by the first respondent, vide his proceedings, dated 29.07.2021. But, till date, the said appeal is pending without any progress. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

5. The learned Additional Government Pleader appearing for the respondents submitted that the petitioner's Appeal, dated 16.07.2021, would be disposed of on merits and in accordance with law, within a time frame.

6. Recording the aforesaid submission made by the learned Additional Government Pleader appearing for the respondents, this Court, without going into the merits of the case, directs the first respondent to dispose of the petitioner's Appeal, dated 16.07.2021, on merits and in accordance with law, after providing an opportunity of hearing to all the necessary parties, within a period of 20 weeks from the date of receipt of a copy of this order.

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

Index : Yes/No
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To

WEB COPY

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V.BHAVANI SUBBAROYAN, J.

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