



WP(MD)N.26736 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26736 of 2022

S.Pragalathan

... Petitioner

Vs

1.The District Revenue Officer,
Collectorate Campus,
Ramanathapuram District.

2.The Sub Collector,
Paramakudi Revenue Division,
Paramakudi, Ramanathapuram District.

3.P.Muthukrishnan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the first respondent to dispose the petitioner's appeal papers Na.Ka.P5/12505/2016 within a stipulated period fixed by this Court.

For Petitioner :Mr.S.Udhaya Bharathi

For Respondents : Mr.D.Sadiq Raja (for R1 & R2)
Additional Government Pleader



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ORDER

This petition has been filed seeking for issuance of a Writ of Mandamus to direct the first respondent to dispose of the petitioner's appeal papers Na.Ka.P5/12505/2016 within a stipulated time.

2.Heard Mr.S.Udhaya Bharathi, learned counsel appearing for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader, who takes notice on behalf of the respondents. Since no adverse order is going to be passed against the third respondent, notice to him is dispensed with.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.It is the case of the petitioner that the petitioner's grandfather, namely, Muthuirulan was the original owner of the subject property in Survey Nos. 199/1, 236/14 and 241/2 situated at Keelathooval group and Survey Nos.220/2 and 221/5 at Sathanoor Group, Mudukulahtur Taluk. After his demise, patta in respect of the said land was transferred in favour of the petitioner, after getting proper consent from all the parties. Thereafter, he transferred the same in



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favour of his wife, namely, Jeyapradha. The third respondent, who is the grandson of deceased Muthuirulan through daughter, claiming right over the said property made representation before the second respondent. Subsequently, the second respondent has passed order directing the Tahsildar to make necessary rectification in the revenue records of the aforesaid property. Aggrieved by the same, the petitioner preferred an appeal before the first respondent and the same was numbered in Na.Ka.P5/12505/2016. Thereafter, there is no progress on the petitioner's appeal. Hence, the petitioner is before this Court.

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

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 in Na.Ka.P5/12505/2016 preferred by the Petitioner as against the order of the second respondent, dated 18.02.2016 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing



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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.

28.11.2022

Index : Yes/No

Internet: Yes/No

Rmk

To

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V.BHAVANI SUBBAROYAN,J.,

Rmk

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