



W.P.(MD)No.27111 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.12.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.27111 of 2022

Karuppaiah

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Devakkottai Revenue Division,
Devakottai,
Sivagangai District.

2.Muthuvelraja

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to dispose of the Patta Appeal application dated 05.07.2022 pending on the file of the first respondent within the time frame fixed by this Court.

For Petitioner : Mr.T.Vadivelan

For R1 : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus,
directing the first respondent to dispose of the Patta Appeal application, dated

<https://www.mhc.tn.gov.in/judis>



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05.07.2022 pending on the file of the first respondent within the time frame fixed by this Court.

2.Heard Mr.T.Vadivelan, learned counsel appearing for the petitioner, Mr.D.Sadiq Raja, learned Additional Government Pleader, who takes notice for the first respondent. Considering the nature of order proposed to be passed in this writ petition, notice to the second respondent is dispensed with. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The grievance of the petitioner is that the appeal filed by the petitioner against the order of the Tahsildar has not been considered.

4.The learned counsel for the petitioner submitted that the petitioner filed an appeal along with all necessary documents on 05.07.2022 before the first respondent against the order of the Tahsildar cancelling the patta issued in favour of the petitioner. The same is kept pending without any progress. Hence, the petitioner has filed the present writ petitioner with the prayer aforementioned.

5.The learned Additional Government Pleader appearing for the first respondent submitted that the District Revenue Officer is the competent authority to adjudicate the appeal filed by the petitioner as the Patta was



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cancelled by the Tahsildar based on the order passed by the first respondent.

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6. In view of the above submission, this Court, without going into the merits of the matter, directs the petitioner to make a fresh application before the District Revenue Officer along with all necessary documents within a period of four weeks from the date of receipt of a copy of this order. On receiving such application, the District Revenue Officer is directed to consider the same and pass orders on merits and in accordance with law, after affording a fair and reasonable opportunity of hearing to the petitioner, as well as the rival claimants, if any, within a period of sixteen (16) weeks therefrom.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

01.12.2022

Index : Yes/No

Internet : Yes/No

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To

The Revenue Divisional Officer,
Devakkottai Revenue Division,
Devakottai,
Sivagangai District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
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