



W.P.No.4387 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.4387 of 2023

S.Kannan

.... Petitioner

-Vs-

- 1 The District Revenue officer
Erode Erode District-638 011.
- 2 The Revenue Divisional Officer
Gopichettipalayam Erode District.
- 3 The Tahsildhar
Sathyamangalam Erode District.
- 4 Yuvarani

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent herein to consider and dispose of the petitioners Appeal dated 26.12.2017 filed U/s.12 Tamil Nadu Patta Pass Book Act 1983 pending on the file of the 2nd respondent within a stipulated time as fixed by this Honourable court.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents : Mr.P.Sathish
Additional Government Pleader – for RR 1-3
Notice dispensed with - R4



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ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 2nd respondent herein to consider and dispose of the petitioners Appeal dated 26.12.2017 filed U/s.12 of Tamil Nadu Patta Pass Book Act 1983 pending on the file of the 2nd respondent within a stipulated time as fixed by this court.

2. The petitioner filed an appeal on 26.12.2017 before the 2nd respondent under Section 12 of the Tamil Nadu Patta Passbook Act, 1983 to cancel the patta issued in the name of the 4th respondent. However, the said appeal, though had been enquired, so far no orders have been passed. Therefore, the petitioner seeks a direction to the Revenue Divisional Officer concerned ie., the 2nd respondent to pass orders on the appeal filed by the petitioner within a time frame that may be stipulated by this Court.

3. Heard Mr.P.Sathish learned Additional Government Pleader appearing for respondents 1 to 3. In view of the orders that is going to be passed in this writ petition, notice to the 4th respondent is hereby dispensed with.



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4. Learned Additional Government Pleader submits that, since the appeal is of the year 2017, where if inquiry is already completed and orders have not been passed till date, certainly it would be looked into and orders would be passed on merits and in accordance with law within a time frame that may be stipulated by this Court.

5. Considering the said submissions made by the learned Additional Government Pleader, this Court is inclined to dispose of this writ petition with the following order.

“That there shall be a direction to the 2nd respondent Revenue Divisional Officer to pass orders on the appeal dated 26.12.2017 filed by the petitioner on merits and in accordance with law by giving an opportunity of being heard to the petitioner and the 4th respondent if the same has not already been given and pass orders thereon on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.”

6. With the above directions, this writ petition is disposed of. No costs.

15.02.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non-speaking order
KST



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R. SURESH KUMAR, J.

KST

To

- 1 The District Revenue officer
Erode Erode District-638 011.
- 2 The Revenue Divisional Officer
Gopichettipalayam Erode District.
- 3 The Tahsildhar
Sathyamangalam Erode District.

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