



WEB COPY



W.P.No.3969 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.3969 of 2023

K.Krishnasamy

... Petitioner

-Vs-

1. The Revenue Divisional Officer (Kovai South),
Coimbatore Revenue Divisional Officer Office,
State Bank of India Road,
Coimbatore.

2. Mangaiyarkarasi

3. Amirtham

4. Sundharambal

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus, directing the 1st
respondent to consider petitioner's representation dated 29.12.2022.

For Petitioner : Mr.K.Tholkappaian

For Respondents : Mr.P.Sathish
Additional Government Pleader
[R1]

ORDER

The prayer sought for herein is for a writ of mandamus directing
the 1st respondent to consider the petitioner's representation dated
29.12.2022.



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2. As against the order passed by the Tahsildar concerned in respect of issuance of patta for the property at S.No.170/B/2, the petitioner preferred an appeal under Section 12 of the Patta Passbook Act, 1983 to the first respondent i.e., Revenue Divisional Officer on 29.12.2022. In order to consider the said appeal and to decide the same on merits and in accordance with law, the petitioner has moved the present writ petition.

3. Heard Mr.K.Tholkappaian, learned counsel appearing for the petitioner and Mr.P.Sathish, learned Additional Government Pleader appearing for the first respondent.

4. In view of the order going to be passed in this writ petition, notice to the private respondents is hereby dispensed with.

5. Since the appeal has been filed on 29.12.2022 before the first respondent against the order already passed by the Tahsildar granting patta against the private respondents herein, this Court feels that a direction can be given to the first respondent to decide the appeal after giving an opportunity of being heard to both the petitioner as well as the private respondents within a time frame.



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6. In that view of the matter, this Court is inclined to dispose of this

writ petition with the following order:

That there shall be a direction to the first respondent to consider the appeal filed by the petitioner dated 29.12.2022 and pass orders thereon on merits and in accordance with law of-course after giving an opportunity of being heard to both the petitioner as well as the private respondents within a period of eight(8) weeks from the date of receipt of a copy of this order.

With this direction, this writ petition is disposed of. No costs.

10.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
mp

To

The Revenue Divisional Officer (Kovai South),
Coimbatore Revenue Divisional Officer Office,
State Bank of India Road,
Coimbatore.



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R. SURESH KUMAR, J.

mp

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