



WEB COPY



W.P.No.4280 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.4280 of 2023

P.Selvarani

.... Petitioner

-Vs-

1.The Revenue Divisional Officer
O/o The Revenue Divisional Office
Tirupattur District.

2.M.Mani

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Revenue Divisional Officer, the first respondent herein to pass final orders in the appeal petition submitted by the petitioner to issue patta on 24.08.2022.

For Petitioner : Mr.S.Sheikh Thanveer Ahamed

For Respondents : Ms.Akila Rajendran
Government Advocate – for R1

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the Revenue Divisional Officer, the first respondent herein to pass final orders in the appeal petition submitted by the petitioner to issue patta on 24.08.2022.



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2. As against the order passed by the Tahsildar, the petitioner preferred an appeal before the 1st respondent under Section 12 of the Patta Passbook Act on 24.08.2022. In order to consider the same on merits and in accordance with law within a time frame that may be stipulated by this Court, the petitioner has moved the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the 1st respondent. In view of the order that is going to be passed in this writ petition, notice to the 2nd respondent is hereby dispensed with.

4. Learned Government Advocate would submit that the appeal filed by the petitioner dated 24.08.2022 pending before the 1st respondent would be decided on merits and in accordance with law of course after hearing both the petitioner as well as the private respondent herein within a time frame that may be stipulated by this Court.

5. Considering the limited scope of the prayer sought for and having regard to the submissions made by the learned Government Advocate, this Court is inclined to dispose of this writ petition with the following order.



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- That there shall be a direction to the first respondent to decide the appeal filed by the petitioner dated 24.08.2022 on merits and in accordance with law after giving an opportunity of being heard to the petitioner as well as the 2nd respondent and pass final orders within a period of six weeks from the date of receipt of a copy of this order.
- It is made clear that, if already such opportunity is given to the petitioner and the 2nd respondent and enquiry is conducted, disposal of the appeal shall be made by the 1st respondent within a period of four 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.

14.02.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non Speaking Order

KST

To

The Revenue Divisional Officer
O/o The Revenue Divisional Office
Tirupattur District.



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R. SURESH KUMAR, J.

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