



W.P(MD)No.5485 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.5485 of 2023

S.Musthafa

... Petitioner

Vs.

- 1.The District Collector
O/o. the District Collector,
Ramanathapuram District.
- 2.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Ramanathapuram District.
- 3.The Tahsildar
O/o. The Tahsildar,
Ramanathapuram District.
- 4.Mohamed Abdul Kathar

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent No.2 to dispose the appeal filed by the petitioner in Na.Ka.Aa.6-6754010 on



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the file of the respondent No.2 for cancelling the patta granted by the respondent No.3 in the name of one Mohamed Abdul Kathar by considering the petitioner's representation, dated 14.02.2023.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.N.Muthu Vijayan - for R1 to R3
Special Government Pleader

ORDER

The writ petition has been filed in the nature of a Mandamus seeking consideration of an Appeal, by which appeal, the patta granted by the third respondent in the name of Mohamed Abdul Kathar was sought to be cancelled.

2. An appeal is pending in Na.Ka.No.Aa.6-6754010 before the second respondent. The petitioner has a dispute with the fourth respondent. The entire dispute surrounds the grant of patta and cancellation of patta. These are issues which can be examined only by the Revenue Authorities, but more importantly, it has to be examined



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whether the parties will have to file a civil suit to determine their rights.

But as on date, the appeal is now pending before the second respondent.

3. A direction is given to the second respondent to issue notice not only to the petitioner, who has filed the appeal, but more importantly, to the fourth respondent and after ensuring the presence of the fourth respondent to proceed to dispose of the appeal in the manner known to law and after affording full opportunity to the petitioner and the fourth respondent. The second respondent is directed to dispose of the appeal within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above directions, the writ petition stands disposed of. No costs.

14.03.2023

Index : Yes/No
Internet : Yes/No
NCC : Yes / No
rm



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To

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O/o. the District Collector,
Ramanathapuram District.
- 2.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Ramanathapuram District.
- 3.The Tahsildar
O/o. The Tahsildar,
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C.V.KARTHIKEYAN, J.

rm

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