



WP(MD)No.5912 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP.(MD).No.5912 of 2023

Duraibalan

... Petitioner

Vs

1.The District Collector,
District Collector Office,
Virudhunagar,
Virudhunagar District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivakasi,
Virudhunagar District.

3.The Tahsildar,
Rajapalayam Taluk Office,
Rajapalayam,
Virudhunagar District.

4. R.Lakshumanan
5.A.Karuppaiah

... Respondents

(R4 and R5 are impleaded as per the order of this Court in WMP(MD) No.8453 of 2023 and WMP(MD) No.7631 of 2023 by BPJ)



WP(MD)No.5912 of 2023

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.2 to dispose of the appeal filed by the petitioner on 12.01.2023, which was submitted under the patta pass book Act, 1983 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi
For R1 to R3 : Mrs.D.Farjana Ghoushia
Special Government Pleader
For R4 : Mr.M.Jothi Basu
M/s.Sivajla

ORDER

The petitioner has filed an appeal before the second respondent /the Revenue Divisional Officer, Sivakasi as against the orders of the Tahsildar granting patta in favour of the fourth respondent with regard to the land in Survey No.265/1, 288/2 on 12.01.2023 and he has approached this Court for a Mandamus, directing the second respondent to dispose of the petitioner's appeal within a stipulated time.

2.On the directions of this Court, the petitioner has filed an impleading petition to implead the aggrieved party in whose name the



WP(MD)No.5912 of 2023

patta stands and accordingly, WMP(MD) No.8453 of 2023 is filed to implead one R.Lakshumanan as the fourth respondent in this writ petition. In view of the above, **WMP(MD) No.8453 of 2023 is ordered.** R.Lakshumanan is impleaded as the fourth respondent in this writ petition.

3.One A.Karuppaiah has also filed another application WMP(MD) No.7631 of 2023 to implead him as a party to this writ petition stating that he is a Nattanmai of Devendirakula Velalar Uravinmurai (Kallamayan Vakaiyara) Sundararajapuram Village. However, the petitioner has filed this writ petition claiming to be one Veerappan, a representative of Sundararajapuram Village. The learned counsel appearing for the petitioner has raised serious objections for allowing WMP(MD) No.7631 of 2023. In order to give quietus to this issue, the said Karuppaiah also was impleaded as a party to this writ petition. Accordingly, **WMP(MD) No.7631 of 2023 is ordered.** A.Karuppaiah is impleaded as the fifth respondent in this writ petition.



WP(MD)No.5912 of 2023

WEB COPY

4.The learned Special Government Pleader, who takes notice for the respondents 1 to 3 submits that with regard to this issue a suit in O.S.No.25 of 2023 is pending before the District Munsif Court, Rajapalayam.

5.Considering the fact that the appeal preferred by the petitioner on 12.01.2023 is still pending, this writ petition is disposed of with a direction to the second respondent to conclude the appeal proceedings after providing sufficient opportunity to the respondents 4 & 5, within a period of four months from the date of receipt of a copy of this order. No costs.

05.07.2023
(3/3)

NCC : Yes / No.
Index : Yes / No.
Internet: Yes
vrn



WP(MD)No.5912 of 2023

To

WEB COPY

- 1.The District Collector,
District Collector Office,
Virudhunagar,
Virudhunagar District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivakasi,
Virudhunagar District.
- 3.The Tahsildar,
Rajapalayam Taluk Office,
Rajapalayam,
Virudhunagar District.



WEB COPY



WP(MD)No.5912 of 2023

B.PUGALENDHI, J.

vrn

Order made in
WP.(MD).No.5912 of 2023

05.07.2023
(3/3)