



WP(MD)No.9855 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.9855 of 2023

V.Subramaniyan

... Petitioner

v.

1.The District Revenue Officer,
O/o.the District Collectorate,
Sivaganga,
Sivaganga District – 630 561.

2.K.Murugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent to dispose of the appeal application of the petitioner dated 13.12.2022 in Appeal No.B1/37704/2022 for cancellation of patta in favour of the second respondent within a stipulated time frame.



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For Petitioner : Mr.R.Rajeshkumar

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for R.1

Mr.S.Srinivasa Raghavan
for R.2

ORDER

The petitioner has filed a revision petition on 13.12.2022 as against the orders of the Revenue Divisional Officer dated 05.09.2022. With a prayer to dispose of the revision within a stipulated time, the petitioner has filed this writ petition.

2.Learned Additional Government Pleader submitted that the petitioner himself has failed to appear for the enquiry notice issued by the first respondent. However, he sought time to ascertain the status of the revision petition.



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3.Learned Counsel for the second respondent submitted that with regard to the subject land, the second respondent has already filed a suit before the District Munsif Court, Sivagangai, in OS.No.116 of 2016 and also obtained a decree in his favour on 31.07.2018. That judgment and decree has also become final.

4.Considering the rival submissions made and the fact that the revision petition was filed in the month of December, 2022 and also by considering the representation of the petitioner that he is aged about 73 years, this Court dispose of this writ petition with a direction to the first respondent to dispose of the revision petition preferred by the petitioner, on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order. The petitioner is also at liberty to represent the case before the Revisional Authority by engaging a Counsel. There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
gk

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B.PUGALENDHI, J.

gk

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