



W.P.No.5807 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.5807 of 2024

M.Babu

... Petitioner

Vs.

- 1 The District Revenue Officer,
Dharmapuri District.
- 2 The Revenue Divisional officer,
Harur, Dharampuri District.
- 3 The Thasildar,
Papireddipatti Taluk,
Harur, Dharampuri District.
- 4 Subramani
Respondents

...

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st Respondent to dispose of petitioner Appeal dated 09.10.2023.



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For Petitioner : Mr.S.Arokia Mani Raj
For R1 to R3 : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, directing the 1st Respondent to dispose of petitioner Appeal dated 09.10.2023.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the official respondents and perused the materials available on record.

3. Since there is no adverse order passed against the private respondent/fourth respondent, notice to the fourth respondent is dispensed with.



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4. It is the contention of the learned counsel for the petitioner that the partition deed in Doc.No.2767 of 2011 has been registered on the file of the S.R.O, Harur, by the fourth respondent herein, wherein the petitioner's father's land in S.No.69/2B has been illegally included in the said document without any proof of evidence. Hence the petitioner made representation before the second respondent to cancel the patta No.231. Since the second respondent has not taken any action, the petitioner filed W.P.No.17275 of 2023 before this Court. This Court vide order dated 19.06.2023 directed the respondents herein to take action on the petitioner's representation. Based on the abovesaid order of this Court, the second respondent passed the impugned order dated 11.09.2023 and aggrieved over the same, the petitioner preferred an appeal before the first respondent on 09.10.2023. Since there is no response from the first respondent, the petitioner is constrained to file the present writ petition.

5. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by



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the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the first respondent to hear the petitioner's appeal dated 09.10.2023, after issuing notice and opportunity of hearing to the petitioner and fourth respondent herein, any other parties in the appeal/interested parties/objectors as the case may be, and conduct enquiry in the manner known to law and dispose the same on merits and in accordance with law. The abovesaid exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs.

06.03.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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P.VELMURUGAN, J.

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