



WEB COPY



W.P.No.7860 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.7860 of 2024

Rajesh Kumar

... Petitioner

Vs.

The Revenue Divisional Officer,
O/o The Revenue Divisional Office,
Kallakurichi,
Kallakurichi District – 606 602.

... Respondent

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the appeal dated 31.10.2023 filed by the petitioner before the respondent and to fix an early date of hearing of the appeal.

For Petitioner : Mr.S.Udayakumar

For Respondent : Mr.T.Arunkumar
Additional Government Pleader

ORDER



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This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's appeal dated 31.10.2023 and to fix an early date of hearing of the appeal.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent and perused the materials available on record.

3. Learned counsel for the petitioner submitted that the petitioner made his representation before the Tahsildar, Sankarapuram, Kallakurichi seeking for issuance of patta. Since the grievance of the petitioner has not been considered by the Tahsildar, he filed W.P.No.8437 of 2023 before this Court and this Court vide order dated 17.03.2023 directed the Tahsildar to consider the petitioner's representation and pass orders on merits. Thereafter, against the order of the Tahsildar, the petitioner filed an appeal before the respondent herein. Though the appeal has been filed on 31.10.2023, the respondent has not disposed of the same till now. Hence the petitioner is constrained to file the present writ petition.



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4. Learned Additional Government Pleader appearing for the respondent is not in a position to say as to whether the appeal has been disposed of or not.

5. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the respondent to issue notice to all the parties/rival claimants/aggrieved parties/interested parties/objectors if any, as the case may be, and after issuing notice to all the parties and giving opportunity of hearing all the parties, dispose the appeal on merits and in accordance with law. The abovesaid exercise shall be completed within a period of 12 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.



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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

The Revenue Divisional Officer,
O/o The Revenue Divisional Office,
Kallakurichi,
Kallakurichi District – 606 602.



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P.VELMURUGAN, J.

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