



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.25206 of 2024

and

W.M.P.No.32685 of 2024

Kremmer Sandegren & Paul Sandegren
Memorial Foundation,
rep by its President Ubahgarajeyaraj
No.6, C.S.K.Complex,
Pallivasal Street, Alangudi,
Pudukottai – 622 301.

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Petitioner

Vs.

- 1 The Tahsildhar
Madukari Taluk Office,
Madukarai, Coimbatore-641 021.
- 2 The Deputy Tahsildhar
Madukari Taluk Office,
Madukarai, Coimbatore.
- 3 Revenue Inspector
Kuruchi, Madukkarai,
Coimbatore - 641 021.
- 4 Village Administrative Officer,
Kuruchi, Madukkarai, Coimbatore 641021.



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5 Vincent Vionth Kumar
Secretary, Kremmer Sandegren Foundation,
70, Muduppaiah Colony,
4th Street, Veerakeralam,
Coimbatore 641 007.

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Respondents

PRAYER: This writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, directing the 2nd respondent to dispose the appeal in Na.Ka. 10/2023 on merits within the time frame fixed this Honble Court.

For Petitioner : Mr.R.Saritha

For Respondent : Mr.P.Sathish
Nos.1 to 4

For Respondent : Mr.A.Raja
No.5

ORDER

The petitioner seeks a direction to the second respondent to dispose of the appeal in Na.Ka.No.10 of 2023 within the time stipulated by this Court.

2.It is the case of the petitioner that the 5th respondent aggrieved by issue of patta in favour of the petitioner filed a petition before the first



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respondent on 08.02.2023 and based on the same, the first respondent issued a notice in Na.Ka.No.10/2023/A3 dated 24.03.2023 and the said proceeding is pending without any progress. Therefore, the petitioner has come before this Court seeking disposal of the enquiry initiated by the first respondent in his proceedings in Na.Ka.No.10/2023/A3 dated 24.03.2023.

3.The learned counsel appearing for the petitioner submits that though the writ petitioner prayed for a direction to the second respondent to dispose of the appeal, the proceedings is pending before the first respondent. Therefore, necessary order may be issued to the first respondent to complete the enquiry initiated by him.

4.The learned counsel appearing for the 5th respondent submits that no such petition has been filed by the 5th respondent before the first respondent.

5.The first respondent is the original authority and he has no power to entertain any appeal against the order granting patta as per Patta



Passbook Act. The appellate authority is the Revenue Divisional Officer.

Therefore, the first respondent ought not have issued any notice based on the alleged petition filed by the 5th respondent dated 08.02.2023. Therefore, the first respondent is not entitled to proceed with enquiry proceedings issued by him in Na.Ka.No.10/2023/A3 dated 24.03.2023.

6. With this clarification, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition in WMP.No.32685 of 2024 is closed.

Internet: Yes

25.10.2024

Index: Yes/No

Speaking/Non speaking order
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To

1 The Tahsildhar
Madukari Taluk Office,
Madukarai, Coimbatore-641 021.

2 The Deputy Tahsildhar
Madukari Taluk Office,
Madukarai, Coimbatore.



3 Revenue Inspector
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S.SOUNTHAR,J.

sms

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