



WP.No.35809 of 2024

In the High Court of Judicature at Madras

Dated : 03.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.35809 of 2024

Abbas Khan

...Petitioner

Vs

The District Revenue Officer
1st Floor, Collectorate
Krishnagiri 635 001.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to dispose and pass final order in the appeal petition dated 26.6.2023 filed by the petitioner's father after taking into consideration of the written argument dated 11.1.2024 and documents adduced by the petitioner's father within a time frame to be fixed by this Court.

For Petitioner : Mr.K.Lavan
For Respondent : Mr.M.R.Gokul Krishnan, AGP

ORDER

Seeking a direction to the respondent to dispose of the appeal



WP.No.35809 of 2024

petition dated 26.6.2023 filed by the petitioner's father to the respondent, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the respondent.

3. The property measuring an extent of acre 1 - 17 cents in S.No.96, Mathigiri Village, Hosur Taluk, Krishnagiri District belonged to the petitioner's father. Taking advantage of the fact that the petitioner's father was away from station, the said survey number was wrongly included by one Mr.Kudath Khan in their partition deed, which also came to registered and patta issued. Hence, the petitioner's father filed a suit in O.S.No.84 of 2018 on the file of the District Munsif-cum-Judicial Magistrate No.1, Hosur seeking declaration of his title, for surrender of possession and also for a declaration of the partition deed as null and void. Despite a decree on 07.6.2022 declaring the title of the petitioner's father in respect of the subject land, the Sub-Collector, Hosur dismissed the petition filed by the petitioner's father on 27.5.2023 for cancelling the patta granted in favour of one Ms.Zahara Bee and 8 others and to grant patta in his favour. The said Ms.Zahara Bee and others were the



WP.No.35809 of 2024

defendants in the said suit and as against the same, no appeal has been filed.

4. Aggrieved by the said order dated 27.5.2023 passed by the Sub-Collector, Hosur, the petitioner preferred an appeal petition dated 26.6.2023 to the respondent, in which, after issuing a notice of inquiry, no orders have been passed to date. The petitioner's father also submitted written arguments dated 11.1.2024 to the respondent. The petitioner's father passed away on 18.1.2024. Hence the petitioner sent a representation dated 25.6.2024 to the respondent for himself and on behalf of the other legal heirs. As it did not evoke any response, the petitioner is before this Court.

5. Taking note of the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the respondent to pass final orders on the appeal petition dated 26.6.2023 sent by the petitioner's father within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

03.12.2024

To
The District Revenue Officer
1st Floor, Collectorate
Krishnagiri 635 001.



WP.No.35809 of 2024

RS



WEB COPY



WP.No.35809 of 2024

P.T.ASHA,J

RS

WP.No.35809 of 2024

03.12.2024