



W.P.(MD)No.1379 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED 24.01.2024

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.1379 of 2024

Muthurakku

...Petitioner

/Vs./

1.The District Revenue Officer,
Sivagangai, Sivagangai District.

2.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

3.Rajamani

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to dispose the unnumbered Appeal filed by the petitioner which is pending before the 1st respondent within a time frame fixed by this Court and consequently directing the 2nd respondent strictly adhere the order of the 1st respondent (pro-date) and change the patta on the basis of the petitioner's representation dated 20.12.2023.



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For Petitioner : Mr.V.Malaiyendran

For Respondents : Ms.K.Christy Thebaral (R1 & R2)

Addl. Govt. Pleader

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the 1st respondent to dispose the unnumbered Appeal filed by the petitioner, which is pending before the 1st respondent within a time frame fixed by this Court and consequently directing the 2nd respondent strictly adhere to the order of the 1st respondent (pro-date) and change the patta on the basis of the petitioner's representation dated 20.12.2023.

2. According to the petitioner, the property in S.No.245/2C1C measuring to an extent of 0.90.0 hectares at Vettiur Village, Ariyakudi Village Group, Karaikudi Taluk, Sivagangai District is the petitioner's ancestral property. During the lifetime of his father, it was subdivided. In UDR scheme, the patta was inadvertently changed in the name of the third respondent. With regard to the same, a complaint was given, for which enquiry was conducted and directed the patta to be transferred in the name of their names. Aggrieved over the same, the third respondent herein filed an appeal to cancel the said patta. The first



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respondent ordered to cancel the same and directed the second respondent to bring it to the earlier position of the patta. The petitioner also filed an UDR appeal before the first respondent and the same is pending. Since the same has not even been numbered, this writ petition has been filed for disposal of the appeal.

3. The learned Additional Government Pleader appearing for the official respondents would submit that the petitioner's appeal will be disposed of by the first respondent in accordance with law within the time stipulated by this Court.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents. Notice to the third respondent is dispensed with, since no adverse order is going to be passed against him in this writ petition.

5. In view of the above said submission, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to dispose of the unnumbered appeal filed in the year 2023 by the petitioner and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, especially, the petitioner and



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the third respondent, within a period of 20 weeks from the date of receipt of a
copy of this order.

6. With the above direction, the writ Petition stands disposed of. No costs.

24.01.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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TO:-

1. The District Revenue Officer,
Sivagangai, Sivagangai District.
2. The Tahsildar,
Karaikudi Taluk,
Sivagangai District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P(MD)No.1379 of 2024

Dated:
24.01.2024