



W.P.(MD)No.2100 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.02.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.2100 of 2024

G.Elangovan

... Petitioner

Vs

1.The Revenue Divisional Officer,
Lalgudi,
Trichy District.

2.The Tahsildar,
Lalgudi Taluk,
Trichy District.

3.The General Manager,
Dalmia Cements (Bharath) Limited,
Dalmiapuram,
Trichy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Revenue Divisional Officer/1st respondent to dispose the appeal proceedings dated 18.10.2023 within the stipulated time fixed by this Court.

For Petitioner

: Mr.R.Rajaraman

For R1 & R2

: Mr.P.Thambidurai
Government Advocate



W.P.(MD)No.2100 of 2024

ORDER

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The petitioner has prayed for issuance of a Writ of Mandamus, directing the Revenue Divisional Officer/1st respondent to dispose the appeal proceedings, dated 18.10.2023 within the stipulated time fixed by this Court.

2. Heard Mr.R.Rajaraman, learned counsel appearing for the petitioner and Mr.P.Thambidurai, learned Government Advocate appearing for the respondents.

3. Considering the nature of the order proposed to be passed, protecting the interest of the third respondent, notice to the third respondent is dispensed with. By consent, this writ petition is disposed of at the admission itself.

4. According to the petitioner, the land in S.F.No.335/2 to an extent of 3.00.5 Ares in Patta No.184 is the petitioner's ancestral property. Originally, the petitioner's grandfather Marudhai Udiyar is in possession and enjoyment over the property by way of cultivating the above said land, thereafter, his father Govindhan @ Govindharaj and the petitioner is in possession and enjoyment over the property by way of cultivating the above said land. The petitioner has made an application dated 09.06.2023 to the Tahsildar to issue patta. On



W.P.(MD)No.2100 of 2024

11.08.2023 an enquiry was conducted and the petitioner appeared for an enquiry and submitted all the documents. On 25.09.2023, the Tahsildar of Lalgudi/2nd respondent after receiving a report from the Regional Deputy Tahsildar, Pullampadi informed that the petition in respect of S.F.No.335/2 cannot be accepted and passed the rejection order in his patta proceedings without considering the fact and law in proper perspective. Therefore, the petitioner filed an appeal before the Revenue Divisional Officer/1st respondent on 18.10.2023 for setting aside the order passed by the Tahsildar/2nd respondent and to issue patta in his name in respect of S.F.No.335/2. Since the first respondent has not taken any steps to dispose of the appeal, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

5. The learned Government Advocate appearing for the respondents 1 & 2 would submit that appropriate direction may be given to the respondent to dispose of the appeal filed by the petitioner, in accordance with law, within a time frame.

6. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the



W.P.(MD)No.2100 of 2024

respondent to dispose the appeal petition, dated 18.10.2023 filed by the petitioner and pass orders on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of. No costs.

02.02.2024

Index : Yes/No
Internet: Yes/No
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To

1.The Revenue Divisional Officer,
Lalgudi,
Trichy District.

2.The Tahsildar,
Lalgudi Taluk,
Trichy District.



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W.P.(MD)No.2100 of 2024

V.BHAVANI SUBBAROYAN, J.

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W.P(MD)No.2100 of 2024

02.02.2024