



W.P.(MD) No.18624 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.18624 of 2024

P.Samraj

.. Petitioner

Vs.

1.The Commissioner of Land Reforms,
Ezhilagam, Chepauk,
Chennai-600 005.

2.The District Collector,
Nagercoil,
Kanyakumari District.

3.The Assistant Settlement Officer,
Nagercoil, Kanyakumari District.

4.The Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the 1st respondent to dispose the appeal dated 02.11.2023 filed by the petitioner on merits, pending before the 1st respondent within a stipulated time to be framed by this Court.



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For Petitioner : Mr.L.George Paul Anto

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner seeks a mandamus to the first respondent to dispose of the appeal dated 02.11.2023 filed by him within a time frame, by which the petitioner seeks to challenge the rejection of his request by the fourth respondent to set aside the order passed by the third respondent.

2. The petitioner's contention is that the property comprised in S.No.401/3 of Putheri Village, Agasteeswaram Taluk, Kanyakumari District, belongs to his mother M.Chandrakala and one Vasantha under a registered settlement deed dated 16.12.1968. The property was being enjoyed by his mother and on her death on 08.08.2014, the property devolved on her legal heirs. However, the patta in respect of this property stands in the name of Santhosam, Santhayee and Sobitham by virtue of an order of the third respondent dated 29.04.1974. The



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petitioner had made several representations to the fourth respondent to set aside this order of the third respondent, to which there was no response and ultimately, by an order dated 09.10.2023, the fourth respondent would submit that the order can be challenged only by filing an appeal to the first respondent. In deference to the above direction, the petitioner has also filed the appeal on 02.11.2023 which to date has not been taken up for enquiry.

3. Considering the above, this Writ Petition is allowed and a mandamus is issued to the first respondent to dispose of the petitioner's appeal dated 02.11.2023 and pass orders within a period of eight weeks from the date of receipt of a copy of this order. No costs.

05.08.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes

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To

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P.T.ASHA, J.

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