



W.P.(MD) No.19393 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD)No.19393 of 2024

S.Palanisamy

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Sankarankovil,
Tenkasi District.

2.The Tahsildar,
Sankarankovil,
Tenkasi District.

3.Shubh Reality (South) Pvt. Ltd.,
Represented by its Managing Direction,
Having Office at 1/3, Leo's Building,
Salai Pudur Road,
Valliyoor,
Radhapuram Taluk,
Tirunelveli 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 of the petitioner's appeal, dated 16.12.2022 and additional



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grounds of appeal, dated 25.07.2023, within a time frame fixed by this Court.

For Petitioner : Mr.M.Saravanan

For R1 & R2 : Mr.D.S.Neduncheziyan
Government Advocate

ORDER

The present writ petition has been filed for a Mandamus to the 1st respondent to dispose of the petitioner's appeal, dated 16.12.2022 and additional grounds of appeal, dated 25.07.2023, within a time frame fixed by this Court.

2. The grievance of the petitioner is that the property comprised in Survey No.161/1 measuring an extent of 1 acre 32 cents, Survey No. 154/2 measuring an extent of 51 cents and Survey No.161/2 measuring an extent of 51 cents in Therkku Sankarankovil village was originally purchased by his paternal grand-father Shanmuga Konar and he was enjoying the same and had the revenue records mutated in his name. During his lifetime, he has executed a Will, dated 08.10.1992



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bequeathing the entire properties in the favour of the petitioner. On the death of his grand-father on 18.04.1997, the petitioner became the absolute owner of the aforesaid properties in question and he has been cultivating the same.

3. While so, the 2nd respondent has transferred the patta standing in the name of Shanmuga Konar, the petitioner's grand-father in favour of the 3rd respondent, that too without any notice to the petitioner. The petitioner therefore filed an appeal on 16.12.2022 to the 1st respondent. The 1st respondent had directed the petitioner to appear for an enquiry on 25.01.2023 and the petitioner had also participated in the enquiry. Thereafter, no orders have been passed on his appeal. Aggrieved by this inaction, the petitioner is before this Court.

4. Therefore, a Mandamus is issued to the 1st respondent to pass orders on the appeal by considering the petitioner's statement and documents, if any submitted by the petitioner during the enquiry, within a period of six (6) weeks from the date of receipt of copy of this order.



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5. With the above direction, this Writ Petition stands allowed. No costs.

13.08.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1.The Revenue Divisional Officer,
Sankarankovil,
Tenkasi District.

2.The Tahsildar,
Sankarankovil,
Tenkasi District.



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P.T.ASHA, J.

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