



W.P.(MD) No.22115 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2024

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THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.22115 of 2024

A.Thirumurugasamy

... Petitioner

/vs./

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Palani Revenue Division,
Palani, Dindigul District.

2.The Tahsildar,
Oddanchathiram Taluk Office,
Oddanchathiram Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondents to dispose of the appeal dated 20.06.2024 as expeditiously as possible and within the time stipulated by this Court.

For Petitioner : Mr.C.Gangai Amaran



W.P.(MD) No.22115 of 2024

WEB COPY

For Respondents : Mr.P.Thambidurai
Government Advocate

ORDER

The above writ petition has been filed for the issue of a Writ of Mandamus to direct the first respondents to dispose of the petitioner's appeal dated 20.06.2024 as expeditiously as possible.

2. It is the case of the petitioner that the petition mentioned property was originally belonged to one Palaiappa Gounder, who had three sons, namely Arumuga Gounder, Angana Gounder and Vellaisamy Gounder. On 17.04.1979, a family partition took place amongst them, for which a partition deed dated 17.04.1979 was executed, which was registered as Doc.No.295/1979 on the file of the Sub Registrar Office, Oddanchathiram, Dindigul District. As per the aforesaid partition deed, the 'A' 'B' and 'C' scheduled properties were allotted to Arumuga Gounder, Angana Gounder, who is the father of the petitioner and Vellaisamy Gounder respectively.

3. The petitioner would submit that the property comprised in S.Nos.13/1, 18/1, 32/1 and 67/2, measuring an extent of 4 acre and 96 cents, 2 acre and 2 2/5



W.P.(MD) No.22115 of 2024

cents, 1 acre and 62 cents and 1 acre and 48 cents respectively was allotted to the half share of the petitioner's father and the other properties situated at the place were allotted to the share of Vellaisamy. However, without verifying the said partition deed, the patta has been erroneously granted in favour of Arumuga Gounder in respect of the property in S.No.67/2, measuring an extent of 2 acre by adding 52 cents instead of 1 acre and 48 cents, which belongs to the petitioner's father and Arumuga Gounder. Meantime, the petitioner's father died on 03.05.2010, sub-division took place and also patta has been wrongly granted. Therefore, the petitioner has sent a detailed representation by way of an appeal to the first respondent, based on which the second respondent had issued an enquiry notice to the petitioner directing him to appear before him for enquiry on 26.07.2024. Accordingly, the petitioner appeared for enquiry and produced all the documents. However, no final orders have been passed thereafter. Hence, the writ petition.

4. Mr.P.Thambidurai, learned Government Advocate appearing on behalf of the respondents would submit that a New Officer has taken charge now and the petitioner's appeal will be disposed of within 6 weeks.



W.P.(MD) No.22115 of 2024

WEB COPY

5. Recording the submission of the learned Government Advocate, the Writ Petition stands disposed of with a direction to the second respondent to consider and pass appropriate orders on the petitioner's appeal dated 20.06.2024 within a period of six weeks from the date of receipt of a copy of this order. No costs.

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

18.09.2024

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To

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Palani Revenue Division,
Palani, Dindigul District.

2.The Tahsildar,
Oddanchathiram Taluk Office,
Oddanchathiram Taluk,
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WEB COPY



W.P.(MD) No.22115 of 2024

P.T.ASHA, J.

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W.P.(MD) No.22115 of 2024

18.09.2024