



WP(MD)No.27536 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2024

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

W.P(MD)No.27536 of 2024

S.Murugan

...Petitioner

Vs.

1.The District Collector,
Trichy District

2.The District Revenue Officer,
Trichy District

3.The Revenue Divisional Officer,
Srirangam Zone,
Trichy District.

4.The Tahsildar,
Manaparai Taluk,
Trichy District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India to issue a writ of mandamus directing the third respondent to expeditiously dispose of the appeal preferred by the petitioner dated 05.07.2024 against the order of the fourth respondent dated 13.06.2024 in O.Mu.Aa4/631/2024 on merits and in accordance with law within a period to be fixed by this Court.

For Petitioner : Mr.K.S.Kathiravan

For Respondents : Mr.M.Muthumanikkam
Government Advocate Civil side



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ORDER

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This Writ Petition is filed for issuance of writ of mandamus directing the third respondent to expeditiously dispose of the appeal preferred by the petitioner dated 05.07.2024, against the order of the fourth respondent dated 13.06.2024, in O.Mu.Aa4/631/2024 on merits and in accordance with law within a period to be fixed by this Court.

2. The petitioner was allotted the land to an extent of Hec.0.10.0 are covered in S.No.297/3B4A, of Kannudaiyanpatty Village, Manapparai Taluk, Trichirappalli District along with house site in an oral partition. The said oral partition was reduced into writing on 26.06.2016. The petitioner on the basis of the partition deed and other documents submitted an application before the respondents for issuance of separate patta in his name. The fourth respondent conducted an enquiry vide proceedings dated 09.03.2023, and submitted a report to the third respondent regarding the right, possession and enjoyment of the said property. The third respondent, thereafter by proceedings dated 05.01.2024, directed the fourth respondent to conduct a fresh enquiry. In pursuance of the aforesaid direction of the third respondent, the fourth respondent vide his proceedings dated 13.06.2024, rejected the



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application of the petitioner on the ground that the validity of the Will could only be decided by the competent civil court.

3. The petitioner preferred an appeal to the third respondent challenging the rejection order of the fourth respondent. As the third respondent did not initiate any action on the petitioner's appeal, the petitioner filed the above Writ Petition for the aforesaid relief.

4. With the consent of both counsels, the writ petition is disposed of at the admission stage itself.

5. It is seen that the petitioner's appeal was filed as early as on 05.07.2024, before the third respondent and till date no order has been passed. In view of the same, I am inclined to issue a direction. Accordingly, the third respondent is directed to pass orders on the petitioner's appeal dated 05.07.2024, within a period of twelve weeks from the date of receipt of a copy of this order on merits and in accordance with law.



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6. With the above directions, this Writ Petition is disposed of. No costs.

19.11.2024

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

To,
1.The District Collector,
Trichy District

2.The District Revenue Officer,
Trichy District

3.The Revenue Divisional Officer,
Srirangam Zone,
Trichy District.

4.The Tahsildar,
Manaparai Taluk,
Trichy District.



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N.MALA,J.

CM

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