



W.P.(MD)No.517 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED 10.01.2024

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.517 of 2024

B.Maragadham

...Petitioner

/Vs./

1.The Revenue Divisional Officer,  
Sivagangai Sub Division,  
Sivagangai.

2.The Tahsildar,  
Sivagangai Taluk,  
Sivagangai District.

3.Meiyammal

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent no.1 to consider and dispose of the petitioner's appeal dated 21.11.2023 submitted under section 12 of the Patta Passbook Act 1983 as expeditiously as possible within a time stipulation as prescribed by this Court.

For Petitioner : Mr.R.Anand

For Respondents : Mr.SRA.Ramachandran (R1 & R2)

Additional Government Pleader



W.P.(MD)No.517 of 2024

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## **ORDER**

This writ petition has been filed for issuance of writ of mandamus directing the first respondent to consider and dispose of the petitioner's appeal dated 21.11.2023 filed under section 12 of the Patta Passbook Act 1983 as expeditiously as possible within a time stipulation as prescribed by this Court.

2. According to the petitioner, the property in S.No.19/7, 19/9 in Paiyur Pillaivayal Village, Sivagangai District, was owned by the parents of the petitioner and after demise of his parents, the petitioner and his siblings have right over the property as they are the legal heirs. In order to grab the property, the petitioner's elder brother has created false documents to change the patta in favour of his wife. Without making any verification, the second respondent changed the patta in the name of his wife. Challenging the same, the petitioner filed an appeal. Since the same has not been considered till date, the present writ petition has been filed.

3. The learned Additional Government Pleader appearing for the official respondents would submit that the petitioner's appeal will be disposed of by the first respondent in accordance with law within the time stipulated by this Court.



W.P.(MD)No.517 of 2024

WEB COPY

4. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents. Since no adverse order is going to be passed against the third respondent, notice to her is dispensed with.

5. In view of the above said submission, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to dispose of the appeal dated 21.11.2023 submitted under section 12 of the Patta Passbook Act 1983 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, especially, petitioner and the third respondent, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ Petition stands disposed of. No costs.

**10.01.2024**

NCC : Yes/No

Index : Yes/No



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W.P.(MD)No.517 of 2024

**V.BHAVANI SUBBAROYAN, J.**

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TO:-

- 1.The Revenue Divisional Officer,  
Sivagangai Sub Division,  
Sivagangai.
- 2.The Tahsildar,  
Sivagangai Taluk,  
Sivagangai District.

Order made in  
**W.P(MD)No.517 of 2024**

Dated:  
**10.01.2024**