



WEB COPY

WP No. 30716 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 30716 of 2025

1. Deivathal

Petitioner(s)

Vs

1. District Revenue Officer,
Erode District-638 011

2.Revenue Divisional Officer,
Gobichettipalayam, Erode-638 476

Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or any other suitable order in the nature writ directing the Respondents to dispose of the appeal filed on 02.01.2024 pending before the 1st Respondent, District Revenue officer, Erode for the property to an extent of 0.67 acres in natham S.F. no 1080 / 13 and issue patta within a stipulated time as may be fixed by this hon'ble Court

For Petitioner : Mr.R.Rajesh Kumar

For Respondents : Mr.A.Selvendran,
Special Government Pleader,



WEB COPY

WP No. 30716 of 202



For R1 & R2

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The present Writ Petition has been filed for a Writ of Mandamus to dispose of the Appeal filed before the 1st respondent on 02.01.2024 against the proceedings of the 2nd respondent wherein, the petitioner's request for issuance of patta in respect of the land comprised in Old Survey Nos.170, 171 & New Re-Survey No.440/5 later subdivided as Survey No.440/3B and Natham Survey No.1080/13, measuring an extent of 0.67 acres situated at Kavindapadi village, Bhavani taluk, Gobichettipalayam, was refused.

3. It is submitted by the learned counsel for the petitioner that the subject property devolved on petitioner's son-in-law by way of a decree passed in O.S.No.117/2003 dated 29.09.2003, on the file of the Hon'ble Gobichettipalayam Court, which has been registered as Document



No.1784/2005 in the office of the Sub-Registrar, Kavundapadi. Subsequently, the said property was settled in favour of the petitioner's daughter vide settlement deed dated 06.01.2006, registered as Doc.No.47/2006 which in turn, was settled in favour of the petitioner by way of settlement deed dated 08.02.2006 registered as Document No.224 of 2006 in the office of the Sub-Registrar, Kavundapadi. It is submitted that the petitioner made a representation dated 31.05.2018 before the Tahsildar seeking issuance of patta which was refused on the premise that there was a mismatch of boundaries in the petition and the Government record. Aggrieved by the order of refusal, the petitioner preferred an appeal before the 2nd respondent and the same was dismissed stating that under Natham Survey Patta can only be granted to a maximum extent of 35 cents. Aggrieved, appeal was preferred before 1st respondent. The appeal is yet to be disposed of by the 1st respondent. Hence, the present Writ Petition.

4. It is submitted by the Learned Government Advocate appearing for Respondents 1 & 2 that, they would dispose of the appeal, within a time frame,



to be fixed by this Court.

WEB COPY

5. In view of the above submission, there shall be a direction to the first respondent to dispose of the appeal filed by the petitioner, if it is otherwise in order, within a period of six weeks from the date of receipt of a copy of this order, after issuing notice and affording a reasonable opportunity of hearing to the petitioner and all other interested parties including rival claimants, if any. It is made clear that, this Court has not expressed any views with regard to the merits of the appeal and it is open to the respondent concerned to consider the appeal on its own merits and in accordance with law.

6. Accordingly, this Writ Petition stands disposed of. No costs.

20-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Nhs



WP No. 30716 of 202



WEB COPY

1.District Revenue Officer,
Erode District-638 011.

2.Revenue Divisional Officer,
Gobichettipalayam, Erode-638 476.



WEB COPY

WP No. 30716 of 2025



MOHAMMED SHAFFIQ, J

Nhs

W.P.No.30716 of 2025

20.08.2025