



WP No.39019 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 02.01.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

WP No.39019 of 2024

R.Ramakrishnan

... Petitioner

Vs.

1. The District Revenue Officer,
The Nilgiris District,
Ootachamund,
The Nilgiris District.

2. The Revenue Divisional Officer,
Coonoor,
The Nilgiris District.

3. The Tahsildar,
Coonoor Taluk,
Coonoor,
The Nilgiris District

... Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to dispose of within the specific period the appeal dated 11.03.2024 submitted by the



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petitioner to the first respondent.

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For Petitioner : Mr.A.Immanuel
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

Aggrieved by the fact that the appeal filed by the petitioner on 11.03.2024 challenging the order of the 2nd respondent dated 25.09.2023, has not been disposed of to date, the petitioner is before this Court.

2. Heard Mr.A.Immanuel, learned counsel for the petitioner and Mr.A.Selvendran, learned Special Government Pleader for sole respondent.

3. The case of the petitioner is that after the death of her mother Thulasiammal on 16.06.1982, including the petitioner totally nine members were in possession and enjoyment of 0.41.5 hectares of land in Survey No.491/19 in Coonoor Rural Village in Coonoor Taluk. Some of the legal heirs executed a release deed in favour of the petitioner in respect of their



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5/9 shares of property. Thereafter, the petitioner had applied for Patta. The 3rd respondent issued Separate Patta No.2885 in the name of petitioner excluding 0.10 acre of land sold by petitioner vide Coonoor Sub-Registrar Officer Document No.425/2023 dated 20.01.2023. Suddenly on 25.09.2023 the 2nd respondent passed an order setting aside the Sub-Division and therefore, the petitioner had preferred an appeal before the 1st respondent on 11.03.2024 to set-aside the order of the 2nd respondent. Since the appeal has been kept pending by the 1st respondent without any enquiry from March 2024, the petitioner has filed this writ petition before this Court seeking for a mandamus.

4. Considering the fact that the 1st respondent, who is the statutory authority named under the Act to hear the appeal has failed to discharge his duties, the Mandamus is issued to the 1st respondent to dispose of the appeal within a period of six weeks from the date of receipt of the copy of this order.



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5. This Writ petition is allowed accordingly. No costs.

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Index : Yes/No

Internet: Yes

Speaking Order/Non-speaking Order

To

1. The District Revenue Officer,
The Nilgiris District,
Ootachamund,
The Nilgiris District.

2. The Revenue Divisional Officer,
Coonoor,
The Nilgiris District.

3. The Tahsildar,
Coonoor Taluk,
Coonoor,
The Nilgiris District



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