



W.P.(MD) No.1742 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.1742 of 2022

V.Ramakrishnan

... Petitioner

VS.

1.The District Collector,
Thoothukudi District, Thoothukudi.

2.The Revenue Divisional Officer,
Kovilpatty.

3.The Tahshildhar,
Ottapidaram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to pass orders on the petitioner's petition dated 30.06.2020 which is pending on the file of the third respondent vide proceedings in O.Mu.A2/3452/2020 within a stipulated time.

For Petitioner : Mr.K.Chengiz Khan

For Respondents : Mr.M.Lingadurai
Special Government Pleader



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ORDER

The petitioner has filed the instant writ petition praying for issuance of a Writ of Mandamus to direct the third respondent to pass orders on the petitioner's application dated 30.06.2020 in O.Mu.A2/3452/2020.

2.Pending the writ petition, it appears that the second respondent has passed final orders on 09.08.2022 and the same appears to have been communicated to the petitioner and the rival claimant one Mr.Tharmaraj.

3.The learned Special Government Pleader appearing for the official respondents, therefore, submits that nothing survives for consideration in the writ petition and the petitioner may be directed to prefer an appeal before the District Revenue Officer, Thoothukudi.

4.The learned counsel for the petitioner, however, would take me through the grievance of the petitioner with regard to the purchase of small portion of property in S.No.773/4B1 and refer to the FMB sketches enclosed along with the typed set of papers. He would submit that the new FMB sketch issued does not



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reflect the small triangular portion towards the northern side adjoining S.No. 773/4A and the entire lay of the property has been changed while issuing the new FMB. Be that as it may, all these contentions can always be raised in appeal before the District Revenue Officer, Thoothukudi. He would further submit that the copy of the impugned order has not been served on the petitioner and only today, he is aware of the impugned order having been passed on 09.08.2022.

5.Today, the copy of the order of the second respondent has been handed over to the learned counsel for the petitioner.

6.In view of the above, liberty is given to the petitioner to challenge the order dated 09.08.2022 passed by the second respondent by filing statutory appeal before the District Revenue Officer, Thoothukudi, within a period of four weeks from the date of receipt of a copy of this order. If the said appeal is preferred within a period of four weeks from the date of receipt of a copy of the order, then the District Revenue Officer, Thoothukudi, shall entertain the appeal petition without rejecting the same, citing limitation. Thereafter, the said appeal shall be considered on its own merits and disposed of in accordance with law.



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

25.02.2025

sjj

NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

1.The District Collector,
Thoothukudi District, Thoothukudi.

2.The Revenue Divisional Officer,
Kovilpatty.

3.The Tahshildhar,
Ottapidaram.

Copy to

The District Revenue Officer, Thoothukudi.



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P.B.BALAJI, J.

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