

W.P(MD)No.3240 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P(MD)No.3240 of 2025

Toney Cherian

... Petitioner

-VS-

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildhar,
Thiruvadanai Taluk,
Ramanathapuram District.

3.The Zonal Deputy Thasildar,
Thiruvadanai Taluk,
Ramanathapuram District.

4.Raju

... Respondents

PRAYER: Writ Petition filed under Section 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to dispose the petitioner's appeal dated 11.08.2023 pending vide proceedings in Na.Ka. 6083/2023 (A5) within a stipulated time that may be fixed by this Court.



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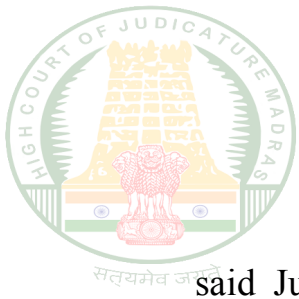
W.P(MD)No.3240 of 2025

For Petitioner : Mr.R.Karunanidhi
For Respondents : Mr.B.Saravanan
Additional Government Pleader
for R1 to R3

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the first respondent to dispose of the petitioner's appeal dated 11.08.2023.

2.The case of the petitioner is that the petitioner has purchased the subject lands under the sale deed dated 03.05.2007 and thereafter, he has been in possession and enjoyment of the same, paying all taxes and charges. The third respondent also directed transfer of patta in favour of the petitioner vide proceedings dated May 2009. The grievance of the petitioner is that the property was sub-divided as S.Nos.58/4B and 58/7B and even thereafter, the name of Raju, the fourth respondent herein, continues to reflect in the patta. The petitioner filed a suit in O.S.No.33 of 2010 before the learned District Munsif cum Judicial Magistrate, Thiruvadanai, which was initially dismissed. But however, reversed as an appeal in A.S.No.2 of 2016 on the file of the learned Subordinate Judge, Ramanathapuram. According to the petitioner, the



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said Judgment of the Sub Court, Ramanathapuram, has become final and clearly entitles him to the subject lands and thereby, patta to be effected in his name.

3.The appeal is pending right from the year August 2023. However, the learned Additional Government Pleader appearing for the official respondents would submit that the proceedings are going on and a reasonable time frame is fixed, the appeal would be decided on merits.

4.Considering that the appeal has been taken up by the first respondent, the first respondent shall pass orders on the merits of the appeal in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

04.02.2025

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



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P.B.BALAJI, J.

sjj

To

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