



W.P(MD)No.3226 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.3226 of 2025
and W.M.P(MD)No.2252 of 2025

Ramalingam

... Petitioner

-VS-

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Kumbakonam, Thanjavur District.

2.The Zonal Deputy Tahsildar No.II,
Office of the Zonal Deputy Tahsildar No.II,
Kumbakonam, Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Section 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent, dated 10.01.2025 vide No.pa.ma.me.mu.tha.pa.221/2024/A4 and quash the same as illegal and unconstitutional and consequently directing the first respondent to decide the appeal filed by the petitioner within the time stipulated by this Court.

For Petitioner : Mr.B.Jameel Arasu
For Respondents : Mr.S.Kameswaran



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Government Advocate

ORDER

The writ petition has been filed challenging the order, dated 10.01.2025 passed by the second respondent on the limited ground that the second respondent did not have jurisdiction to decide the proceedings, which were to be entertained and disposed of only by the first respondent.

2.The learned Government Advocate appearing for the official respondents would submit that the appeal can be disposed of by the first respondent/Revenue Divisional Officer and there shall be a direction can be issued in this regard.

3.Considering the submissions made by the learned counsel on either side, though the writ petition has been filed challenging the order of the second respondent, dated 10.01.2025, in view of the submissions that the first respondent is the competent authority to dispose of the said appeal dated 03.09.2024, the order passed by the second respondent on the said appeal has to necessarily go.



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4. Accordingly, this Writ Petition is allowed. The order dated 10.01.2025 passed by the second respondent is set aside and the matter is remitted to the first respondent for decision on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

04.02.2025

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

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Kumbakonam, Thanjavur District.
2. The Zonal Deputy Tahsildar No.II,
Office of the Zonal Deputy Tahsildar No.II,
Kumbakonam, Thanjavur District.



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P.B.BALAJI, J.

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