



W.P.(MD) No.9918 of 2023

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 04.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.9918 of 2023

R.Daniel

... Petitioner

Vs

1. The District Collector,
Collectorate Building,
Korampallam,
Thoothukudi.

2. The Tahsildar,
Taluk Office,
Eral,
Thoothukudi District.

3. Albert

4. Vinolin

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent herein to dispose of the appeal dated 15.02.2023 on the file of the second respondent within stipulated time as may be prescribed by this Court.

For Petitioner : Mr.S.Senthil Sankara Natha Kumar

For R-1 & R-2 : Ms.K.Malathi,
Additional Government Pleader

For R-3 & R-4 : Mr.R.Karunanidhi



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ORDER

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This writ petition has been filed seeking a direction to the second respondent herein to dispose of the appeal dated 15.02.2023 on the file of the second respondent within stipulated time as may be prescribed by this Court.

2. It is the case of the petitioner that the petitioner and his siblings are in continuous joint possession and enjoyment of the subject property without any interference. However, the third respondent attempted to illegally fence the petitioner's property. Thereafter, the petitioner issued a legal notice to the third respondent on 12.10.2022. After receipt of the said legal notice, the third respondent sent a reply on 23.12.2022, wherein he claimed right over the subject property and has been continuously interfering with the petitioner's peaceful possession and enjoyment of the property. Thereafter, the petitioner made an application before the second respondent for survey of his land, and the same was conducted on 13.02.2023. However, the Surveyor was unable to locate the property as described in the sale deed as well as in Patta No.1274. Thereafter, the petitioner preferred an appeal before the second respondent on 15.02.2023. However, the second respondent has not taken



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any steps to dispose of the said appeal. Hence, the petitioner has filed the present writ petition.

3. The learned Additional Government Pleader appearing for the State would submit that the Appeal filed by the petitioner dated 15.02.2023 would be considered in accordance with law.

4. Considering the limited request made by the petitioner, there shall be a direction to the second respondent to dispose of the Appeal dated 15.02.2023 on its own merits and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the case, and it is open to the second respondent to consider the same independently.

5. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs.

04.12.2025

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
TSG



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KRISHNAN RAMASAMY, J.

TSG

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