



W.P.(MD) No.20807 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.20807 of 2025

Mohammed Abusali Sikkander

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Aruppukkotai,
Virudhunagar District.

3.The Revenue Tahsildar,
Tiruchuli Taluk,
Virudhunagar District.

4.Habibullah

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd respondent proceedings in Oo.Mu.A1/483/2025 dated 10.02.2025 to dispose of the appeal filed by the petitioner on 02.01.2025 within a time frame fixed by this Court.



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For Petitioner : Mr.R.Niresh Kumar
For R1 to R3 : Mr.A.Baskaran
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the second respondent to dispose of the appeal pending on this file in Oo.Mu.A1/483/2025 dated 10.02.2025.

2.Heard the arguments of Mr.R.Niresh Kumar, learned counsel appearing for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents 1 to 3. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The petitioner filed an appeal before the second respondent challenging the order passed by the third respondent in his proceedings in T.R:2024/010/26/226710TR, dated 16.02.2024. Till date, the appeal has not been considered. Hence, the petitioner has come before this Court.



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4.The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the second respondent, in his proceedings in Oo.Mu.A1/483/2025, dated 10.02.2025, directed the third respondent to conduct an enquiry and submit a report. However, the petitioner failed to co-operate with the third respondent. Therefore, there is a delay in considering the appeal.

5.The learned counsel appearing for the petitioner would submit that till date, he has not received any notice from the third respondent regarding the enquiry.

6.The petitioner has challenged the order passed by the third respondent by filing an appeal before the second respondent under Section 12 of Patta Passbook Act. Since the order of the third respondent is under challenge, the second respondent ought not to have directed the third respondent to conduct an enquiry and file a report with regard to the claim made by the petitioner. At most, the second respondent can only call for the records from the third respondent.



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7. In view of the same, the third respondent is directed to submit the relevant records before the second respondent within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the second respondent is directed to consider the appeal filed by the petitioner dated 02.01.2025 and pass final orders on its own merits within a further period of twelve weeks, after issuing notice to the petitioner and the four respondent. Accordingly, this Writ Petition is disposed of. No costs.

31.07.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Aruppukkotai,
Virudhunagar District.
3. The Revenue Tahsildar,
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S.SOUNTHAR,J

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