

W.P.(MD)No.23767 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.23767 of 2023

and

W.M.P.(MD)Nos.19950 & 19951 of 2023

M.S.Hajiyar (Died)

Mumtaj Begum : Petitioner

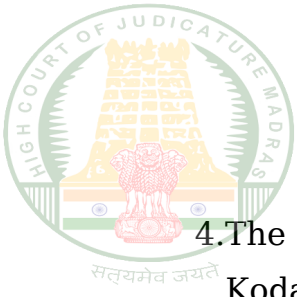
[Petitioner is substituted vide court order dated 27.02.2025 in
W.M.P.(MD)No.2480 of 2024 in W.P.[Md]No.23767 of 2023]

Vs.

1.The Commissioner of Land Administration,
Ezhilagam,
Chepauk,
Chennai – 600 005.

2.The District Collector,
Dindigul District,
Dindigul.

3.The District Revenue Officer,
Dindigul District,
Dindigul.



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4.The Revenue Divisional Officer,
Kodaikanal Division,
Dindigul District.

5.The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

6.The Sub Registrar,
Sub Registrar Office,
Kodaikanal,
Dindigul District.

7.Mustafa Rowther

8.Salamad

9.Abuthahir

10.Kadher Mydeen

11.Ismail

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the first respondent to decide the appeal filed by the petitioner dated 05.04.2023 as against the order of the third respondent for patta pertaining to the property comprised in S.No.378/B1A (T.S.No.14 of 22) Kodaikanal Village, Kodaikanal Taluk, Dindigul District without relegating the same to any other authority in accordance with law within the time limit as fixed by this Court.



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For Petitioner : Mr.R.Aravindan
For Respondents 1 to 6 : Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard the learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents 1 to 6.

2.Learned Counsel for the petitioner would submit that the writ petitioner has challenged the order of the third respondent before the first respondent by way of appeal dated 05.04.2023. The grievance of the petitioner is that the first respondent has thereafter relegated the matter to the second respondent who has in turn referred the matter to the fifth respondent.

3.The appeal is preferred against the order of the third respondent, the fifth respondent cannot be called upon to conduct any enquiry and decide the matter. Therefore, the direction issued by the first respondent to the second respondent who in turn referred the matter to the fifth respondent is not in accordance with law. Therefore, a direction is issued to the first respondent to consider the petitioner's appeal dated 05.04.2023 on merits and in



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accordance with law and decide the same within a period of twelve [12] weeks from the date of receipt of a copy of this order. However, it shall be open to the first respondent to call for a report from the subordinate revenue officials.

4. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

06.03.2025

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



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6.The Sub Registrar,
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P.B.BALAJI., J.

MR

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