

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 8-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.10133 of 2015

V.Thirugnanam

.. Petitioner

- VS
1. The District Revenue Officer
Villupuram District
 2. The Revenue Divisional Officer
Tirukkoilur Taluk
Villupuram District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to dispose of the Revision Petition No.23467/2010, pending on the file of the first respondent, within a time frame.

For Petitioner : Mr.Suhrith Parthasarathy

For Respondents : Mr.S.V.Duraisolaimalai
Additional Government Pleader

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims that he has purchased a land admeasuring to an extent of 4.69 acres in Elandurai Village, Tirukkoilur Taluk, Villupuram District, vide registered sale deed dated 11.3.1970, (Document No.1258/1970). The petitioner further claims that he is in possession and enjoyment of the same and also doing direct cultivation. According to him, under the Scheme "Past Cases Review Assessment", which had come into vogue from the year 1983, the said land was reclassified as "Assessed Waste Dry" in Reference NO.B2/5392/83 dated 5.7.1983, without putting him on notice. Subsequently, a criminal prosecution was also launched against the petitioner in C.C.No.29 of 2000 and vide judgment dated 20.1.2004, passed by the Court of Judicial Magistrate No.II at Ulundurpet, it ended in acquittal.

3.The grievance expressed by the petitioner, is that after 30.11.2009, no action was taken by the concerned authority to cancel the reclassification of "Assessed Waste Dry" and recognise the assignment of the said land in favour of the petitioner and the petitioner initially approached the Commissioner, Land Administration, Chepauk, Chennai 5, vide petition dated 30.11.2009, and it was disposed of by the said official directing him to avail the opportunity of appeal before the first respondent. Thereafter, the petitioner has filed a revision petition in R.P.No.23467/2010 on 12.3.2010, and in spite of the fact that five years had lapsed, it has not been disposed of and hence, he came forward to file this writ petition.

4.Mr.Suhrith Parthasarathy, learned Counsel appearing for the petitioner, has drawn the attention of this Court to the typed-set of documents and would submit that according to the first respondent, for want of relevant records, the appeal could not be disposed of and hence, sufficient direction may be given to the first respondent to dispose of the appeal within a stipulated time.

5.The Court also heard the submissions of Mr.S.V.Duraisolaimalai, learned Additional Government Pleader, who accepted notice for the respondents.

6.This Court, taking into consideration the limited scope of prayer sought for by the petitioner, and without entering upon the merits of the appeal, directs the first respondent to dispose of the revision petition in R.P.No.23467/2010, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner. The writ petition stands disposed of accordingly. No costs.

s/d-
Assistant Registrar(V)

True Copy

Sub-Assistant Registrar

To:

1. The District Revenue Officer
Villupuram District

WEB COPY

2. The Revenue Divisional Officer
Tirukkoilur Taluk
Villupuram District

+ 1 cc to Mr.Suhrith Parthasarathy, Advocate SR 19301

+ 1 cc to the Government Pleader, High Court, Madras SR 19695

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