

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.1291 of 2015

E.Panneer Selvam

..Petitioner

-Versus-

1.The District Collector,
Chennai District, At Chennai.

2.The District Revenue Officer,
O/O the District Collector,
Chennai District.

3.The Tahsildar, Velachery Taluk,
Chennai - 600 113.

4.The Inspector of Police,
Kotturpuram Police Station,
Chennai.

5.Thiru K.Rajesh

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the first respondent to dispose of the petitioner's appeal dated 19.08.2014 and pass suitable orders in accordance with law.

For Petitioner : Mr.M.V.Muralidharan

For Respondents: Mr.S.Gunasekaran,
Government Advocate

ORDER

Heard Mr.M.V.Muralidharan, learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing for the respondents and with their consent, the writ petition is taken for disposal at the admission stage.

2.The petitioner seeks for issuance of a writ of mandamus to direct the first respondent to dispose of the petitioner's appeal dated 19.08.2014 and pass suitable orders in accordance with law.

3.Though, in the affidavit filed in support of this writ petition, the petitioner has made certain allegations against the fifth respondent, since, the writ petition is disposed of without notice to the fifth respondent, at the admission stage, the correctness of the allegations made by the petitioner are not gone into and the same is left open to be adjudicated before the appropriate forum.

4.In this writ petition, the limited prayer sought for by the petitioner is to consider the appeal filed by him before the District Collector, Chennai, the first respondent herein. The said appeal has been filed against the order of cancellation of patta. It appears that there is a dispute between the petitioner and the fifth respondent. The third respondent has initiated action under Section 145 Cr.P.C., and since, there was no progress, the petitioner has filed a Criminal Original Petition in CrI.O.P.No.30080 of 2014 before this Court to direct the third respondent herein to complete the proceedings initiated under Section 145 Cr.P.C., in respect of the property in question. In the interregnum period, since, patta was cancelled, the petitioner has filed the statutory appeal.

5.In the light of the above, without going into the merits of the petitioner's contentions, if the appeal filed by the petitioner is in order, then, the first respondent shall consider the petitioner's appeal dated 19.08.2014 and pass appropriate orders on merits and in accordance with law after notice to the petitioner as well as the fifth respondent and after inviting remarks from the third respondent, as expeditiously as possible preferably, within a period of within a period of five months from the date of receipt of a copy of this order.

6.The writ petition is disposed of with the above direction. No costs.

jbm

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

To

1.The District Collector,
Chennai District, At Chennai.

2.The District Revenue Officer,
O/O the District Collector,
Chennai District.

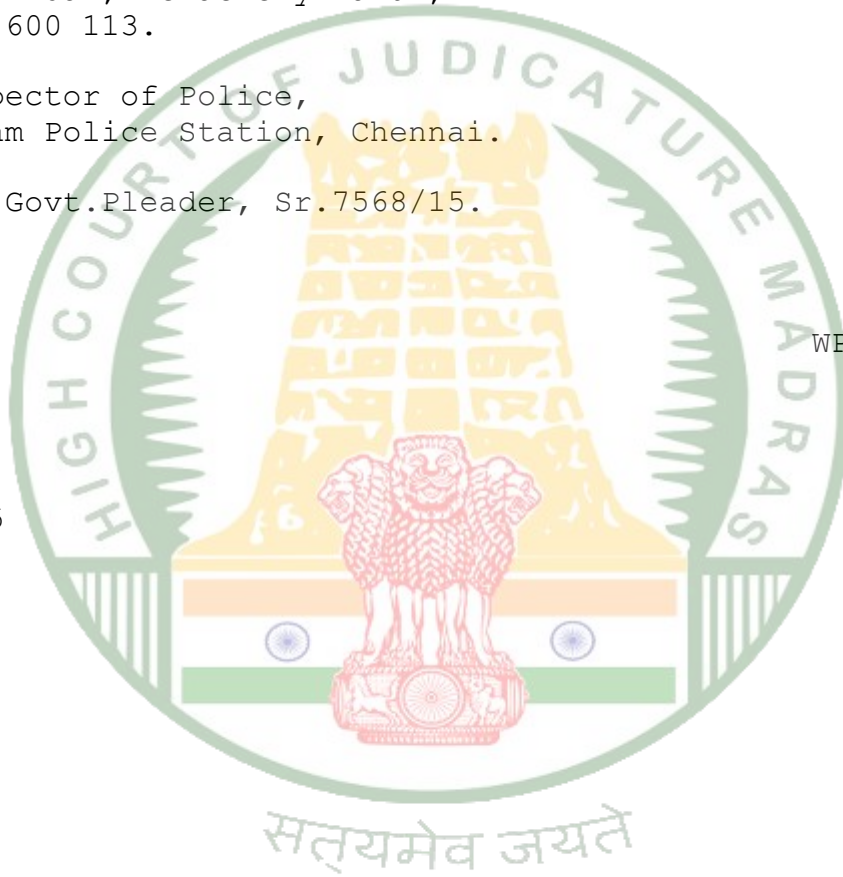
3.The Tahsildar, Velachery Taluk,
Chennai - 600 113.

4.The Inspector of Police,
Kotturpuram Police Station, Chennai.

+ 1 CC TO Govt.Pleader, Sr.7568/15.

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