

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.13667 of 2015

and

M.P.No.1 of 2015

Madurai Achari
S/o.Kuppusamy Achari

...Petitioner

-Vs-

1.District Collector,
Kanchipuram District.

2.District Revenue Officer,
Kanchipuram District.

3.Revenue Divisional Officer/
Sub Collector,
Madhuranthagam Taluk,
Kanchipuram District.

4.The Tahsildar,
Madhuranthagam Taluk,
Kanchipuram District.

5.M.Ganesa Achari
S/o.Mani Achari

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to pass an order on the appeal dated 22.11.2014 filed by the petitioner expeditiously within a time frame after affording an opportunity of being heard taking into consideration of relevant records by upholding the earlier order of the third respondent in Moo.Mu.912/02/D dated 29.12.2002 concerning the property at S.No.870/11 at Cheyyur Village, Kanchipuram District.

For Petitioner : Mr.K.Moorthy

For Respondents: Mr.R.Govindasamy
Additional Government Pleader [R1 to R4]

O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. The petitioner filed a statutory appeal before the second respondent challenging the legality of the order passed by the third respondent dated 22.08.2013 wherein he has granted joint patta for Patta No.964 in favour of the fifth respondent.

3. Heard the submissions made by Mr.K.Moorthy, learned counsel for the petitioner, Mr.R.Govindasamy, learned Additional Government Pleader, who accepts notice for respondents 1 to 4.

4. Learned counsel for the petitioner has drawn the attention of this Court to the typed set of documents and submits that the impugned order is per se illegal and taking advantage of the said order, compliance is sought to be given which may lead to land grabbing also and hence, prays for appropriate orders.

5. Admittedly, the statutory appeal filed by the petitioner is pending and pending disposal of the same, the petitioner also prayed for stay of the order passed by the Revenue Divisional Officer dated 22.08.2013 and therefore, the first respondent is under obligation to dispose of the stay application; otherwise, the appeal itself may become infructuous.

In the result, this Writ Petition is disposed of directing the first respondent to take up the stay application and after putting on notice the fifth respondent, shall pass orders in accordance with law within a period of two weeks from the date of receipt of a copy of this order. The first respondent shall make every endeavour to dispose of the main appeal itself within a period of six weeks thereafter. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

1.The District Collector,
Kanchipuram District.

2.The District Revenue Officer,
Kanchipuram District.

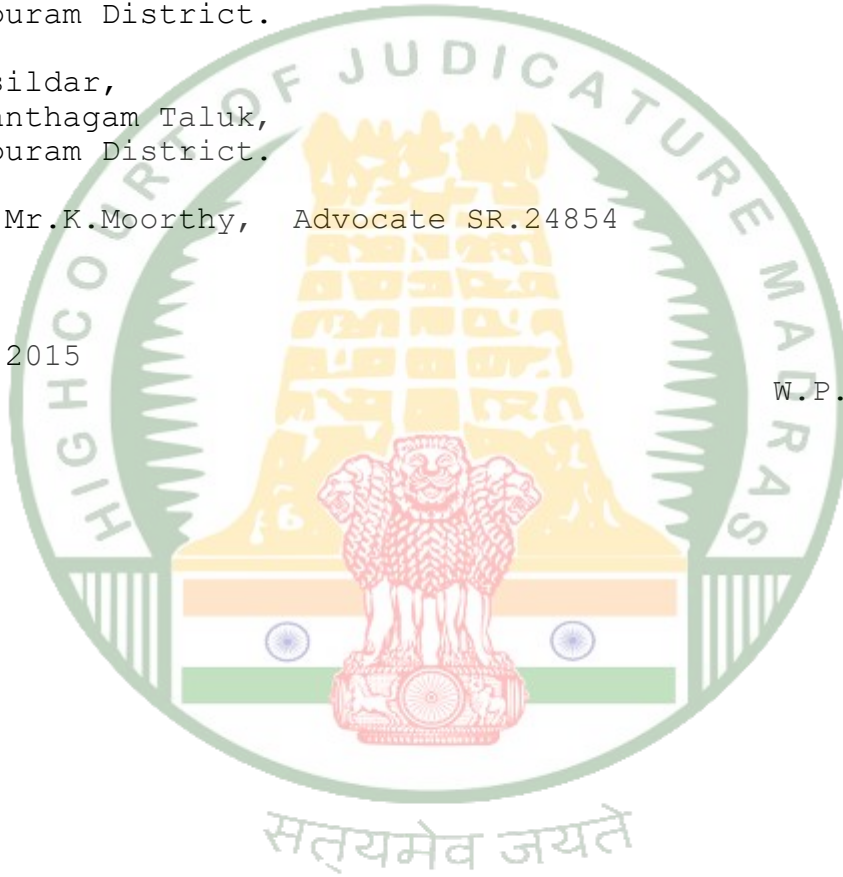
3.The Revenue Divisional Officer/
Sub Collector,
Madhuranthagam Taluk,
Kanchipuram District.

4.The Tahsildar,
Madhuranthagam Taluk,
Kanchipuram District.

+ 1 cc to Mr.K.Moorthy, Advocate SR.24854

RJ(CO)
EU 22.05.2015

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