

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.15921 of 2015

K.Balakrishnan

...Petitioner

-Vs-

1.The Principal Secretary/Commissioner
of Land Reforms,
Chepauk, Chennai.

2.The District Revenue Officer,
Coimbatore.

3.The Revenue Divisional Officer,
Collector office building compound,
State Bank Road,
Coimbatore.

4.The Joint Commissioner,
Office of the Land Reforms,
Erode.

5.The Assistant Commissioner,
Office of Land Reforms,
Coimbatore.

6.The Assistant Commissioner,
Office of the Land Reforms,
Gandhiji Road,
Jawans Bavan, 2nd floor,
Erode -1.

7.The Thasildar,
Taluk Office, Sulur,
Coimbatore - 641 402.

8.Tmt.Nagammal

9.Thirupathisamy

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent to fix a time frame for disposing the appeal filed by the petitioner dated 30.12.2013 in the light of the above stated facts and circumstances and in accordance with law.

For Petitioner : Mr.B.Vijayakumar

For Respondents: Mr.V.Subbiah,
Special Government Pleader for R1 to R7.

O R D E R

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

2. The petitioner claims to be an Ex-servicemen and he was allotted a surplus land of 0.97 acres at Sular Villlage in Survey No.94/1A2B by proceedings dated 11.05.1984 and he was directed to pay a sum Rs.405.60 to the Treasury for the allotment of the said land and accordingly, he has also been paid the entire amount and the possession of the land was handed over to him on 12.01.1985. Some of the rival claims filed a suit in O.S.No.128 of 1985 on the file of the Court of District Munsif, Tirruppur praying for permanent injunction against him and it was dismissed for non prosecution and it has become final. The grievance expressed by the petitioner is that without cancelling the allotment and taking possession, the said land has been allotted in favour of one Tirupathisamy and Nagammal and challenging the same, he filed an appeal to the 2nd respondent on 30.12.2013 and since no progress has been taken so far, came forward to file this writ petition.

3. Heard the submissions made by Mr.B.Vijaya Kumar, learned counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice for respondents 1 to 7.

4. This Court, without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to dispose of the appeal petition/memorandum dated 30.12.2013 submitted by the petitioner in accordance with law after putting respondents 8 and 9 on notice and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the respondents 8 and 9.

Accordingly, this Writ Petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

vsm

To

1.The Principal Secretary/Commissioner
of Land Reforms,
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Chennai.

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Coimbatore.

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1 cc to Mr.B.Vijayakumar, Advocate, Sr. 27163

1 cc to Government Pleader, Sr. 27212

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