

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.NO.23186 OF 2015

B.Murugan

... Petitioner

Vs.

1 The Revenue Divisional Officer
Ponneri Division Ponneri
Tiruvallur District

2 The Tasildar
Ponneri Taluk, Ponneri
Tiruvallur District

3 G.Prakash

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st Respondent to conduct enquiry in the Appeal filed by the Petitioner in Na.Ka.No.1862 of 2015/A1 and pass appropriate orders within a stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.N.Anand Venkatesh

For Respondents : Mr.N.Roofus Abraham for R1 and R2
Government Advocate

: Mrs. M.E. Rani Selvam AGP for R3

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O R D E R

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

2.The petitioner claim that his grandfather namely, Rajarathnam Mudaliar purchased the property on various survey numbers in Thadaperumbakkam Village, Ponneri Taluk, Tiruvallur District bearing document no.2763 of 1932 vide sale deed dated 22.07.1944 registered as document no.181 of 1944 on the file of

the Sub Registration Office, Ponneri and subsequently, he entered into an agreement of sale dated 12.06.1944 with one Ramakrishnan Naidu. Thereafter, he in turn executed a registered sale deed bearing document number 181 of 1944 dated 22.07.1944 registered on the file of the very same Sub Registrar in favour of their grandfather and also handed over the possession.

3.The petitioner would further state that the lands in Survey No.224/9 admeasuring to an extent of 0.45 cents originally belong to the great grandfather of the appellant and patta was also granted in his favour in patta no.25. Rajarathinam Mudaliar died on 09.01.1950. Thereafter, his four sons had succeeded to the said asset and the petitioner is the legal heir of one of the above said son. The petitioner would state that the concerned Revenue Officials in connivance with the third respondent has issued patta in respect of the A, B and C Schedule properties without putting the parties on notice and in this regard, the petitioner along with the other legal heirs had submitted an appeal to the first respondent on 02.06.2015 and vide summons dated 09.06.2015, they were asked to appear for enquiry and accordingly, they appeared for enquiry and produced all the documents and thereafter, no progress is taking place and hence the petitioner came forward to file this writ petition.

4.Heard the submissions of Mr.N.Anand Venkatesh, learned counsel appearing for the petitioner and Mr.N.Roofus Abraham, learned Government Advocate who accepts notice on behalf of the respondents 1 and 2.

5.This Court taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the same, directs the first respondent to consider and dispose of the appeal dated 02.06.2015 submitted by the petitioner in accordance with law after putting on notice the third respondent 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 the third respondent.

6.The writ petition is disposed of accordingly. No costs.

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Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

1 The Revenue Divisional Officer
Ponneri Division Ponneri
Tiruvallur District

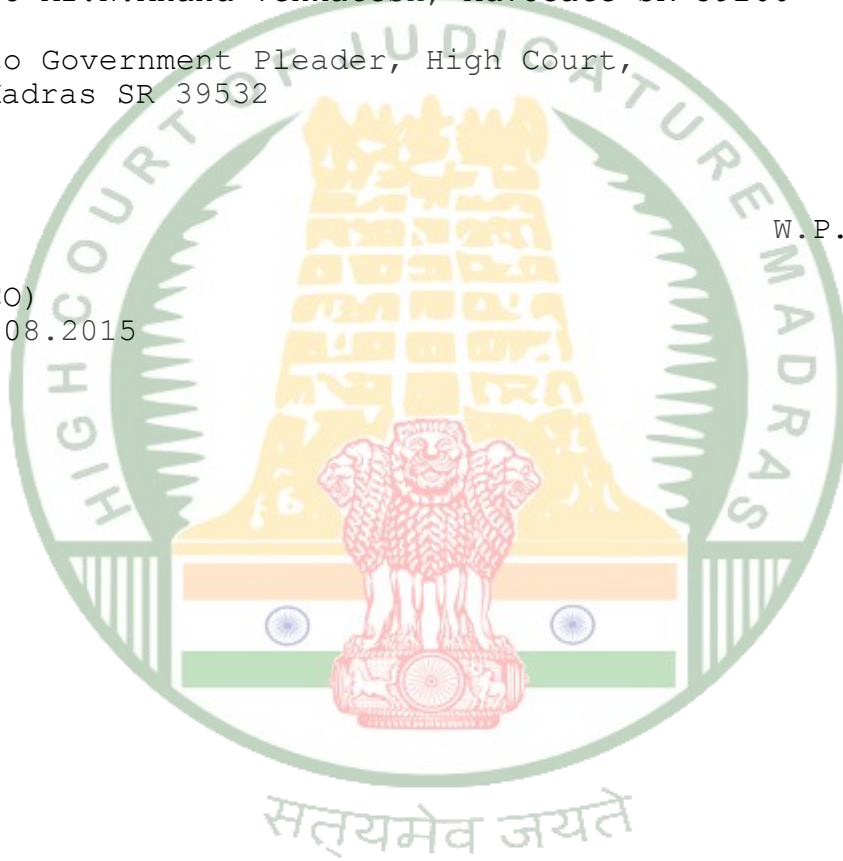
2 The Tasildar
Ponneri Taluk, Ponneri
Tiruvallur District.

+1cc to Mr.N.Anand Venkatesh, Advocate SR 39266

+1cc to Government Pleader, High Court,
Madras SR 39532

W.P.No.23186 of 2015

BVR (CO)
RS 14.08.2015



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