

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.2461/2015

1.P.Thanikachalam

2.Mr.P.Sampath

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Petitioners

Versus

1. The Special Commissioner & Commissioner
of Land Administration, Chepauk,
Ezhilagam, Chennai 600 005.

2. The District Revenue Officer
Kancheepuram, Kancheepuram District.

3. The Revenue Divisional Officer
Kancheepuram, Kancheepuram District.

4. The Tahsildar,
Sriperumbudur, Kancheepuram District.

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Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to dispose the appeal filed by the petitioners on 24.09.2014 and direct the respondents to issue patta for the property for an extent of 81 cents, comprised in S.No.1/1 [Paimash No.1/1C] an extent of 36 cents comprised in S.No.1/3 part, an extent of 35 cents comprised in S.No.1/4 part, an extent of 33 cents comprised in S.No.1/5 part and 1 acre out of 2 acre 3 cents comprised in S.No.2,, situate at Kottu village, Sriperumbudur Taluk, Kancheepuram District.

For Petitioners : Mr.V.Chandranathan
For RR 1 to 4 : Mr.S.Gunasekaran, GA

ORDER

Heard Mr.V.Chandranathan, learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing for the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2.The petitioners seek for issuance of a writ of mandamus to direct the 1st respondent to dispose of their appeal petition dated 24.09.2014 and to direct the respondents to grant patta in respect of the properties for an extent of 81 cents, comprised in S.No.1/1 [Paimash No.1/1C] an extent of 36 cents comprised in S.No.1/3 part, an extent of 35 cents comprised in S.No.1/4 part, an extent of 33 cents comprised in S.No.1/5 part and 1 acre out of 2 acre 3 cents comprised in S.No.2,, situate at Kottu village, Sriperumbudur Taluk, Kancheepuram District.

3.It appears that the 3rd respondent has rejected the petitioners' request vide his proceedings dated 18.12.2014 on the ground that the lands in question are classified as "Water bodies", as against which they preferred an appeal before the 2nd respondent and the 2nd respondent, vide proceedings in Na.K.No.5109/2013/N3 dated 07.08.2014, affirmed the order passed by the 3rd respondent. Aggrieved against the said orders, the petitioners preferred an appeal before the 1st respondent dated 24.09.2014. Since no orders have been passed, the petitioners are before this Court.

4.In the light of the above facts, without going into the merits of the petitioners' appeal dated 24.09.2014, there will be a direction to the 1st respondent to consider and dispose of the petitioners' appeal dated 24.09.2014 and pass appropriate orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

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

AP

-s/d-

Assistant Registrar(J)

Dt:10/2/2015

True Copy

Sub-Assistant Registrar

To

1. The Special Commissioner & Commissioner of Land Administration, Chepauk, Ezhilagam, Chennai 600 005.
2. The District Revenue Officer kancheepuram, Kancheepuram District.
3. The Revenue Divisional Officer Kancheepuram, Kancheepuram District.

4. The Tahsildar,
Sriperumbudur, Kancheepuram District.

+ 1 cc to Mr.V.Chandrakanthan, Advocate SR 5456

+ 1 cc to Govt.Pleader SR 5559

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