

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2015

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH

W.P.No.28850 of 2015

and

M.P.No.1 of 2015

Elumalai

... Petitioner

vs.

1.The Special Commissioner and  
Commissioner for Land  
Administration, Ezhilagam,  
Chepauk, Chennai - 5.

2.The District Revenue Officer,  
Thiruvannamalai District,  
Thiruvannamalai.

3.The Revenue Divisional Officer,  
Thiruvannamalai,  
Thiruvannamalai District.

4.The Tahsildar,  
Thiruvannamalai Taluk,  
Thiruvannamalai District.

5.Murugan

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus forbearing the respondents 2 to 4 herein from in any manner proceeding further pursuant to the order dated 01.10.2013 passed by the second respondent, the District Revenue Officer, Thiruvannamalai in his office Ref.Na.Ka.AA2/3560/2011 and the order dated 10.12.2010 passed by the third respondent, the Revenue Divisional Officer, Thiruvannamalai in his office Ref.Na.Ka.A4/8426/2010 till the disposal of the revision petition (Na.Ka.No.G2/30531/13) pending before the first respondent, the Special Commissioner and Commissioner of Land Administration, Chennai - 5 including the assignment of the land measuring 1.03.0 hectares comprised in S.No.75/3, Agaram Sippanthi Village, Thiruvannamalai Taluk and District.

For Petitioner .. Mr.P.Mani  
For Respondents .. Mr.S.Diwakar,  
Addl. Govt. Pleader for R1 to R4

ORDER

On 10.12.2010, the patta granted in favour of the petitioner in Survey No.75/3, Agaram Sipandhi Village, Thiruvannamalai Taluk, Thiruvannamalai District was cancelled by the third respondent. The appeal filed by the petitioner to the second respondent was also rejected, as seen from the order dated 01.10.2013. The petitioner filed further revision to the first respondent on 05.11.2013. The petitioner sent a notice on 13.11.2013 to the respondents 2 to 4, not to proceed further in view of the pendency of the revision. Alleging that despite the same, they are proceeding with further, the present writ petition has been filed.

2.Learned counsel appearing for the petitioner submitted that the revision filed by the petitioner is pending disposal with the first respondent and if the respondents 2 to 4 are permitted to proceed further, the very revision would become infructuous. Even as per the proceedings of the respondents 2 and 3, the petitioner is in possession. Therefore, respondents 2 to 4 will have to be prevented from proceeding further, pending revision.

3.As seen from the records, the revision filed by the petitioner is pending with the first respondent. In view of the same, the first respondent is directed to pass appropriate final orders within a period of eight weeks from the date of receipt of a copy of this order, if the same has not been disposed of already. Considering the facts and circumstances of the case, the respondents, particularly respondents 2 to 4 are directed to maintain status quo with respect to the property in question till final orders are passed by the first respondent. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To  
1.The Special Commissioner and  
Commissioner for Land  
Administration, Ezhilagam,  
Chepauk, Chennai - 5.

2.The District Revenue Officer,  
Thiruvannamalai District,  
Thiruvannamalai.

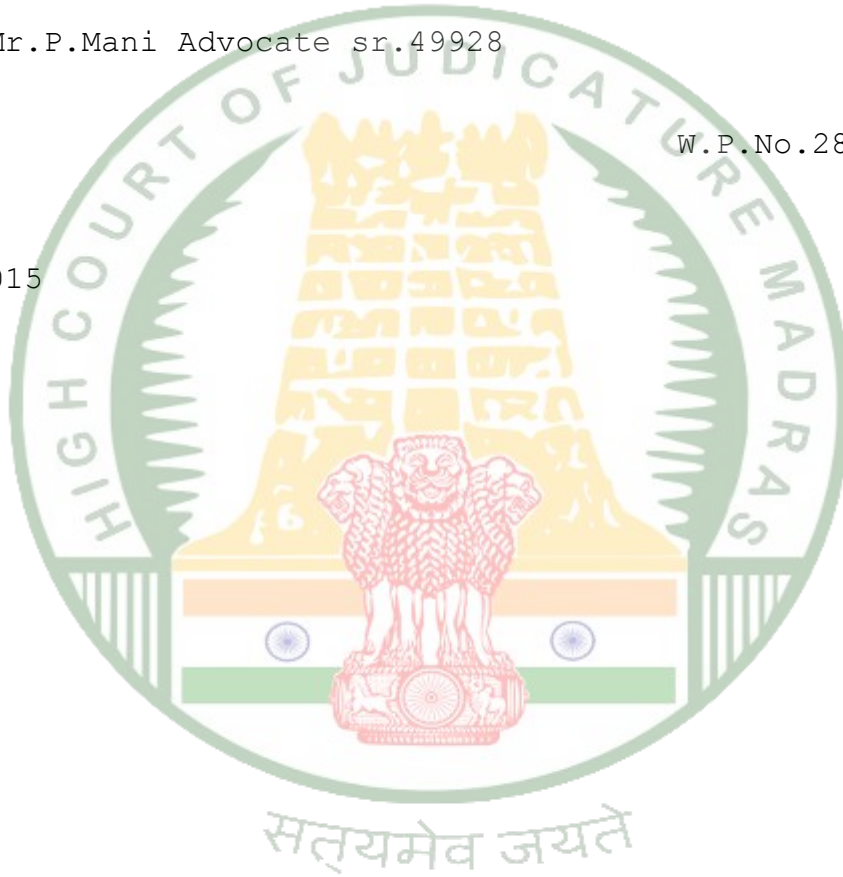
3.The Revenue Divisional Officer,  
Thiruvannamalai,  
Thiruvannamalai District.

4.The Tahsildar,  
Thiruvannamalai Taluk,  
Thiruvannamalai District.

+1 cc to Mr.P.Mani Advocate sr.49928

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