

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30/9/2015

C O R A M

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI

AND

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.P. No.29685 of 2015

S. Ramasamy

...

Petitioner

Vs

1. The District Revenue Officer
Perambalur District
Perambalur.

2. The Sub-Collector
Perambalur District
Perambalur.

3. The Tahsildar
Kunnam
Perambalur District.

4. P. Sellamuthu

5. N. Senthil

6. R. Sudhakar

...

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for the issuance of a writ of mandamus to direct the first respondent to pass final order on petitioner's revision petition dated 27/1/2014 filed against the proceedings of the second respondent in Mu.Mu.No.A2/2661/2013 dated 18/12/2013 within a time frame.

For petitioner ... Mr.R.Sethuvarayar

For respondents... Mr.P.S.Sivashanmugasundaram
Special Government Pleader
for R.R.1 to 3.

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O R D E R

(Delivered by SATISH K. AGNIHOTRI, J.)

Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader, appears on behalf of the respondents 1 to 3. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2 Impugning the order dated 18 December, 2013, the petitioner has come up with the instant petition, seeking a direction to consider the purported revision petition filed by him on 27 January, 2014 before the District Revenue Officer, Perambalur.

3. Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader appearing for the respondents 1 to 3 submits that under Section 10-A of the Tamil Nadu Land Encroachment Act, 1905, a revision is maintainable, only against the order passed by a Deputy Tahsildar, Tahsildar or Collector. However, in the case on hand, the impugned order is passed by the Sub-Collector, Perambalur District.

4. We are not inclined to give a direction at this stage, if the purported revision is not filed under the provisions of law. However, having regard to the facts and circumstances of the case, we grant liberty to the petitioner to prefer an appeal or revision, if so advised, under the provisions of law, within a period of two weeks.

5 With the aforestated direction, the writ petition stands disposed of. No costs.

-s/d-

Assistant Registrar (CO)

dt:08/10/2015

True Copy

Sub-Assistant Registrar

mvs.

To

1. The District Revenue Officer, Perambalur District, Perambalur.
 2. The Sub-Collector, Perambalur District, Perambalur.
 3. The Tahsildar, Kunnam, Perambalur District.
- +1 cc to Mr.R.Sethuvarayar Advocate sr53131
+2 ccs to Government pleader sr.53323,51910

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