

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.31429 of 2015

1. R.Kumar
2. R.Sundaram
3. R.Govindasamy

... Petitioners

Vs.

1. The District Revenue Officer,
Salem.
2. The Sub Collector,
Mettur.
3. The Thasildar,
Omalur.

... Respondents

Prayer: Writ Petition is filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus to direct the District Revenue Officer viz., the 1st respondent herein to consider and dispose of the Appeal No.31141/2015 dated 21.09.2015 filed by the petitioner and consequently direct the respondents not to take any action based on the order of the Sub Collector in its Na.Ka.No.500.2014(P) dated 15.09.2015 pending disposal of the appeal by the District Revenue Officer.

For Petitioner : Mr.V.Vijay Shankar

For Respondents : Mr.S.V.Duraisolaimalai,
Additional Government Pleader

ORDER

As against the order dated 30.1.2014 passed by the 3rd respondent in favour of the petitioners, an appeal was preferred before the 2nd respondent by one Sundaram, son of Ponnayyan. By the order dated 15.9.2015 the said appeal was allowed by the 2nd

respondent against the petitioners. The petitioners filed further appeal to the 1st respondent on 21.9.2015, which has been taken on file as Appeal No.31141 of 2015. Seeking early disposal of the appeal with a further order to maintain status quo qua the entries made in the revenue records, the present writ petition has been filed.

2. Even the order dated 15.9.2015 passed by the 2nd respondent also shows that appeal can be filed against the said order.

3. Therefore, considering the facts of the case, the writ petition is disposed of by directing the 1st respondent to dispose of the appeal in appeal No.31141 of 2015 preferred by the petitioners within a period of eight weeks from the date of receipt of copy of this order, after affording opportunity to the petitioners as well as the third party in whose favour the 2nd respondent has passed the order. Since the patta stands as of now in the name of the petitioners, the same shall not be changed till appropriate final orders are passed by the 1st respondent. No costs.

Sd/-

Deputy Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The District Revenue Officer,
Salem.
2. The Sub Collector,
Mettur.
3. The Thasildar,
Omalur.

+1cc to M/s.V.Vijay Shankar, Advocate, S.R.No.54458

RSK(CO)
CA(14/10/2015)

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