

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.4289 of 2015

1.Syed Gaffer
2.Syed Rahiman

...Petitioners

Vs

1. The District Revenue Officer,
Kancheepuram.
2. Nathar Avuliya Darga
rep. By its Jamathar,
No.290, Salavakkam Village and Post,
Uthiramerur Taluk
3. The Revenue Divisional Officer,
Kancheepuram.

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to dispose of the revision dated 09.03.2009 filed by the petitioner.

For Petitioners : Mr.M.Rajasekhar

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader
for R1 and R2

O R D E R

Heard Mr.M.Rajasekhar, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the first and second respondents. With the consent of either side, the writ petition itself is taken up for final disposal at the admission stage.

2.The petitioner seeks for an issuance a Writ of Mandamus to direct the 1st respondent to dispose of the statutory revision which

has been filed by the petitioner on 09.03.2009.

3. Earlier, the petitioner came before this Court by filing W.P.No.2599 of 2009 praying to issue a Writ of Certiorari Mandamus to quash the order passed by the Revenue Divisional Officer, Kanchipuram dated 01.02.2008 and consequently to direct the said authority to grant ryotiwari joint patta in favour of the petitioner in respect of the lands in Survey no. 473, salvakam village, measuring an extent of 1.06.0 acres by taking into consideration the decision of this Court in S.A.No.54 of 1990 dated 21.09.2001. This Court by an order dated 11.02.2009 disposed of the Writ Petition directing the petitioner to approach the appellate authority and granted liberty to the petitioner to file an appeal against the order dated 01.02.2008.

4. In compliance with the direction issued by this Court, the petitioner has preferred the appeal dated 09.03.2009, which has been received by the office of the 1st respondent on 08.04.2009.

5. Since the appeal is pending before the 1st respondent, there shall be a direction to the 1st respondent to consider the appeal/revision, which has been filed under Section 13 of the Tamilnadu Patta Pass Book Act, 1983 after issuing notice to the petitioner as well as 2nd respondent in the appeal, which is a Darga represented by its Jamadar. The 1st respondent is directed to afford opportunity of personal hearing to all the parties, who are proper and necessary parties and pass final orders in the Revision as expeditiously as possible preferably within a period of four months from the date of receipt of copy of this order.

With the above direction, this Writ petition is disposed of. No costs.

Sd/-
Deputy Registrar (J)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The District Revenue Officer,
Kancheepuram.

2. Nathar Avuliya Darga
rep. By its Jamathar,
No.290, Salavakkam Village and Post,
Uthiramerur Taluk

3. The Revenue Divisional Officer,
Kancheepuram.

1 CC to Mr.M.Rajasekhar, Advocate SR.No. 9394

1 CC to the Government Pleader, SR.No. 9429

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TM (CO)
PSI (03.03.2015)



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