

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.6702 of 2015

Dr.T.Gopalswamy

... Petitioner

vs.

1. The District Collector,
Coimbatore District at Coimbatore

2. The Commissioner,
Land Tax and Land Revenue Department,
Chepauk, Chennai 600 005

3. The Tahsildar,
Pollachi

4. R.Ramajayam Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the first and second respondents to consider and pass orders on the appeal memorandum dated 11.2.2015 which came to be addressed pursuant to the earlier representation dated 20.10.2014 which was forwarded by CRA vide its proceedings in Oo.Mu.Va.Ni.7(2)/41001/2014 dated 14.11.2014 and based on the 3rd respondents proceedings in Na.Ka.No.23200/2012/A7 dated 28.12.2012 on merits and within a time to be stipulated by this Hon'ble Court.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader for R1 to R3

ORDER

Heard Mr.L.Chandrakumar, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the first to third respondents. With the consent of either side, Writ Petition itself is taken up for final disposal at the admission stage.

2. The petitioner has filed this Writ Petition to direct the respondents 1 and 2 to consider and pass orders on the petitioner's Appeal Memorandum dated 11.02.2015.

3. It is seen that the appeal memorandum submitted by the petitioner has been forwarded to the respondents 1 and 2 vide proceedings dated 14.11.2014 for appropriate action and the matter is now pending consideration with the respondents 1 and 2.

4. The learned counsel for the petitioner has submitted that the 3rd respondent has already recommended to the Sub Collector, Pollachi for cancellation of patta granted in favour of the 4th respondent. However, this issue cannot be gone into at this stage. Since the Writ Petition is disposed of at the admission stage without notice to the 4th respondent, the matter is left open to be considered by the authorities.

5. In the light of the above without going to the merits of the petitioner's contention, there shall be a direction to the 1st respondent to consider the petitioner's appeal petition dated 11.02.2015 after issuing notice to the petitioner and the 4th respondent and pass orders on merits and in accordance with law as expeditiously as possible.

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

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The District Collector, Coimbatore District at Coimbatore

2. The Commissioner,
Land Tax and Land Revenue Department,
Chepauk, Chennai 600 005

3. The Tahsildar, Pollachi.

+1 cc to Mr.L.Chandrakumar, Counsel for Petitioner, SR.13934

+1 cc to Government Pleader, SR.13580.

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