

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.9828 of 2015

and M.P.No.1 of 2015

1.Vasantha

2.S.Karthikeyan Petitioners
Vs

1.The District Collector,
Collectorate, Dharmapuri.

2.The District Revenue Officer,
Dharmapuri District.

3.The Revenue Divisional Officer,
Harur Taluk,
Dharmapuri District.

4.The Tahsildar,
Harur Taluk,
Dharmapuri District. ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the second respondent to expeditiously dispose of the petitioner's appeal dated 21.03.2013 in accordance with law.

For Petitioners : Mr.P.Valliappan

For Respondents : Mr.R.Vijayakumar

Additional Government Pleader

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. It is the claim of the petitioners that the land situated in S.F.Nos.7/2A, 7/2B, 7/2C, 7/2D, 7/2E, 7/2F, 7/2G, 7/2H, 7/2I, 7/2J & 7/2K, Melanur Village, Harur Taluk, Dharmapuri District are patta lands and they belong to them absolutely and the total extent of land is 3.90 acres and originally the said lands were owned by one Mr.Rajagopal, who had sold the same to the 1st petitioner and one Ms.Rajeswari by means of a registered sale deed dated 17.03.1982 and the entitlement of the 1st petitioner is 1.95 acres. Subsequently, Ms.Rajeswari, who was entitled to the remaining lands also sold the same to the 2nd petitioner by means of

a registered sale deed dated 23.07.2008 and as such the entire extent of lands belong to the petitioners absolutely.

3. The third respondent vide proceedings dated 23.02.2013, has arrived at a decision that the lands in question were assigned to depressed classes and in violation of conditions of the assignment, the lands have been purchased by other caste people.

4. The petitioners challenged the order of the third respondent by filing an appeal dated 21.03.2013 before the 2nd respondent and it has not been disposed of. The petitioners also filed a suit in O.S.No.198 of 2013 on the file of the Court of District Munsif, Harur, praying for permanent injunction restraining the respondents from altering the revenue records and the said suit is pending.

5. The grievance expressed by the petitioners, is that though a statutory appeal was preferred as early as on 21.03.2013 to the 2nd respondent, it has not been disposed of and therefore, came forward to file this Writ Petition.

6. Heard the submissions of Mr.R.Vijaya Kumar, learned Additional Government Pleader, who accepts notice for the respondents.

7. This Court taking into consideration the limited prayer sought for by the petitioners, directs the 2nd respondent to consider and dispose of the petitioners' appeal petition / memorandum dated 21.03.2013 on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and communicate the order to the petitioners.

8. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

सत्यमेव जयते

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The District Collector,
Collectorate, Dharmapuri.

2. The District Revenue Officer,
Dharmapuri District.

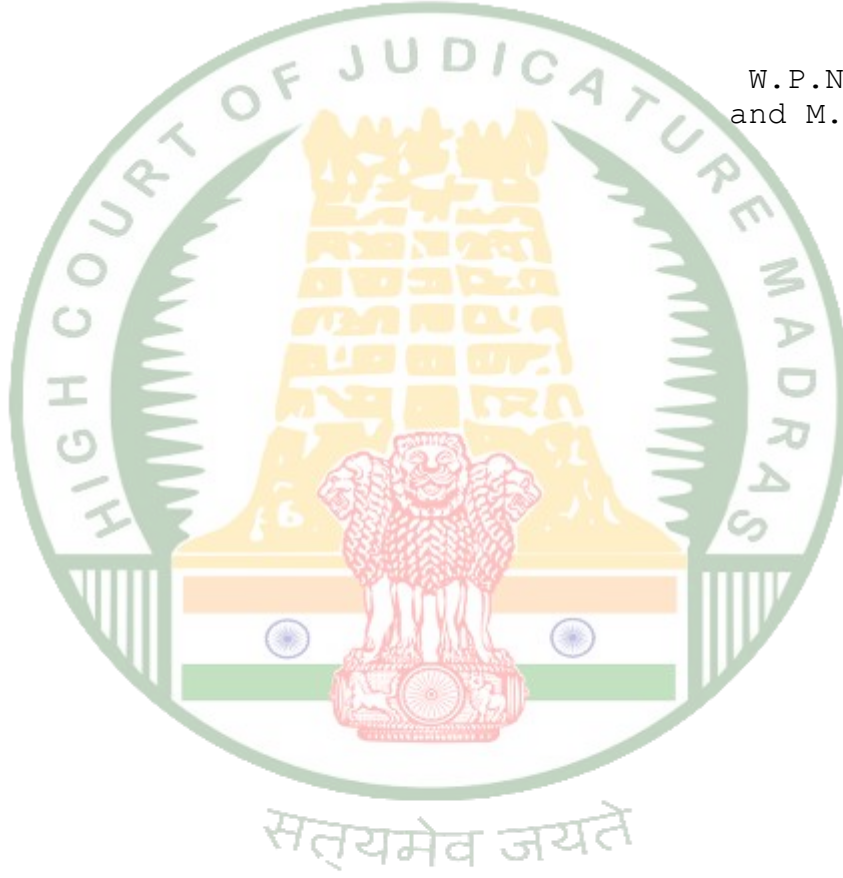
3.The Revenue Divisional Officer,
Harur Taluk,
Dharmapuri District.

4.The Tahsildar,
Harur Taluk,
Dharmapuri District.

+1 cc to Mr.P.Valliappan, Advocate,SR.19010.

br(co)
krd 17/4

W.P.No.9828 of 2015
and M.P.No.1 of 2015



WEB COPY