

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No. 11899 of 2016

1. Rajambal

2. Elumalai

3. Arul

4. Manimekalai ... Petitioners

Vs.

1. The District Collector,
Villupuram,
Villupuram District.

2. The Revenue Divisional Officer,
Thirukovilur,
Villupuram District.

3. The Tahsildar,
Thirukovilur Taluk Office,
Thirukovilur,
Villupuram District.

4. M.Mani ... Respondents

Writ petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to conduct enquiry and pass orders on appeal Na.Ka.A1/15064/04 dated 23.09.2004 against the grant of patta in the name of the fourth respondent for the property comprised in Survey No.460/3C, 460/3D respectively in Ayan Vellore Village, Ulundurpet Taluk, Villupuram District within a reasonable time fixed by this Court.

For Petitioner : Mr.T.Gandhi

For respondents : Mr.P.Sanjay Gandhi,
Additional Government Pleader
For R1 to R3

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2. The petitioner has come forward with the present Writ of Mandamus directing the second respondent to conduct enquiry and pass orders on appeal Na.Ka.A1/15064/04 dated 23.09.2004 against the grant of patta in the name of the fourth respondent for the property comprised in Survey No.460/3C, 460/3D respectively in Ayan Vellore Village, Ulundurpet Taluk, Villupuram District

3. Though very many contentions have been raised in this writ petition, at the time of arguments, the learned counsel for the petitioner submitted that it would suffice, if a direction is given to the second respondent to dispose of the appeal pending in Na.Ka.A1/15064/04 dated 23.09.2004 against the grant of patta in the name of fourth respondent for the property comprised in Survey No.460/3C, 460/3D.

4. Heard the submissions of learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

5. Considering the facts and circumstances, without advertent the averments made in the affidavit, this Court directs the second respondent to dispose the appeal filed by the petitioners, dated 23.09.2004 and pass an appropriate order, within a period of twelve weeks from the date of receipt of a copy of this order, after affording opportunity of personal hearing to the petitioners as well as to the fourth respondent and also necessary parties, if any. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioners. It is for the second respondent to decide the issue purely on merits.

6. The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
Villupuram,
Villupuram District.
2. The Revenue Divisional Officer,
Thirukovilur,
Villupuram District.
3. The Tahsildar,
Thirukovilur Taluk Office,
Thirukovilur,
Villupuram District.

+1 cc to M/s.T.Gandhi Advocate sr.20281

+1 cc to Government Pleader sr.20550

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