

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24479/2016

C.Sundaresan

.. Petitioner

Versus

1.The District Collector
Vellore District, Vellore.

2.The District Revenue Officer
O/o.the District Collector
Sathuvachary, Vellore District.

3.The Revenue Divisional Officer
Vellore, Vellore District.

4.The Tahsildar
Vellore-1, Vellore District.

5.The Taluk Head Surveyor
Vellore, Vellore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 2nd respondent to dispose of the petitioner's statutory appeal dated 29.09.2015 in the light of the proceedings in O.Mu.P1/5533/2015 dated 05.10.2015 passed by the 3rd respondent and thereby direct the respondents 4 and 5 to measure the petitioner's property situated in Punjai Survey No.34/6-0.40 ½ cents and Survey No.34/7-0.03 cents, totally to an extent of 0.43 ½ cents, Pennathur Village, Vellore Taluk and District and erect boundary stones, subdivide and transfer patta in the name of the petitioner within a stipulated period of time.

For Petitioner : Mr.A.Rajesh Kanna

For RR 1 to 5 : Mr.S.Pattabiraman, GA

ORDER

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

2 The petitioner filed OS.No.3/2011 against S.S.Peethambram, R.Karpagam, R.Parvathy, R.Panneerselvam and R.Gopi on the file of the Court of Principal District Judge, Vellore, praying for specific performance and other consequential reliefs and the said suit was decreed on 20.04.2011 and the petitioner filed EP.No.71/2011 and also got the deed in his favour and was also put in possession. Thereafter, the petitioner had approached the 4th respondent for issuance of joint patta and it was rejected on the ground that since the proceedings are pending before this court. The petitioner, challenging the legality of the order filed an appeal before the 2nd respondent on 20.09.2015 and the 2nd respondent, in turn, has directed the 4th respondent to conduct an enquiry and submit a report to him and despite that, no final orders have been passed and hence, the petitioner came forward to file this writ petition.

3 Heard the learned counsel for the petitioner and Mr.S.Pattabiraman, learned Government Advocate who accepts notice on behalf of the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, taking into consideration the above facts and circumstances and without going into the merits of the same, directs the 4th respondent to act on the communication of the 2nd respondent dated 05.10.2015 in O.Mu.P1/5533/2015 and submit a report to the 2nd respondent within a period of four weeks from the date of receipt of a copy of this order and the 2nd respondent, on receipt of such report, is directed to consider and dispose of the petitioner's representation dated 29.09.2015 on merits and in accordance with law, after putting on notice the person/s concerned and pass orders within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the person/s concerned.

5 The writ petition is disposed of with the above direction and observation. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector
Vellore District, Vellore.

2.The District Revenue Officer
O/o.the District Collector
Sathuvachary, Vellore District.

3.The Revenue Divisional Officer
Vellore, Vellore District.

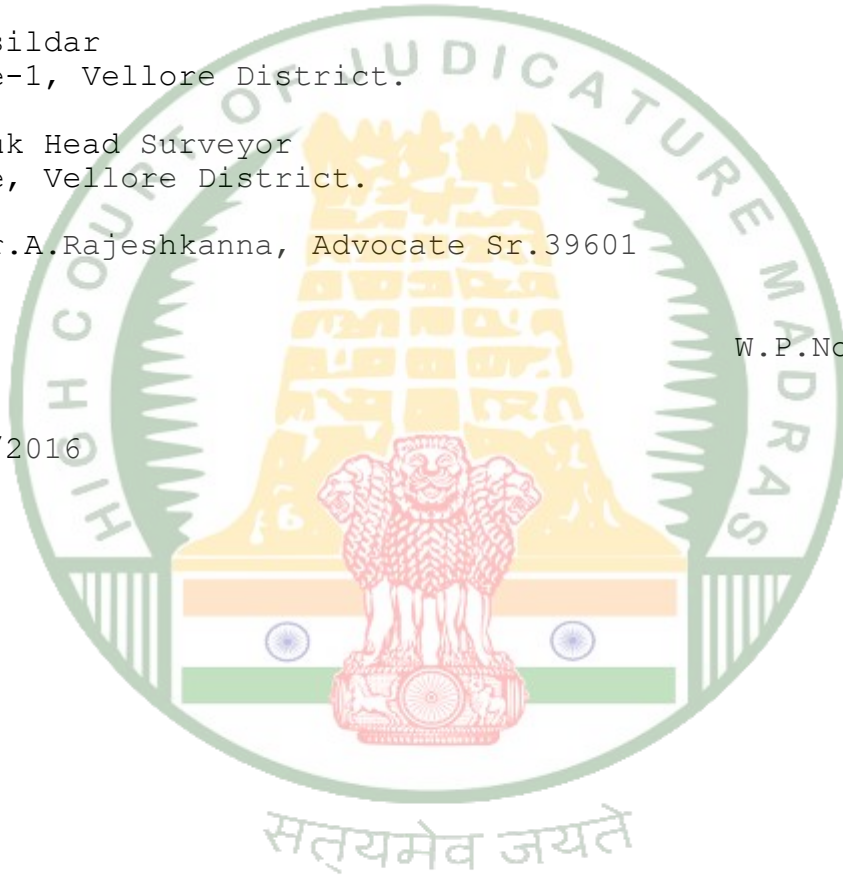
4.The Tahsildar
Vellore-1, Vellore District.

5.The Taluk Head Surveyor
Vellore, Vellore District.

+1cc to Mr.A.Rajeshkanna, Advocate Sr.39601

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srg 29/07/2016



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