

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.08.2016

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.28171 of 2016
and W.M.P.No.24306 of 2016

M.Asokan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Vellore District, Vellore.

2.The Tahsildar,
Anaiket Taluk, Vellore District.

3.Mr.Durai

4.Mr.G.Selvam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the first respondent to dispose the appeal of the petitioner in Ref. File No.A2/3701/2009 dated 17.07.2009 and pass an appropriate orders on his Letter No.Na.Ka.A2/1504/2016 dated 06.04.2016.

For Petitioner : Mr.A.Chellakumar

For Respondents: Mr.S.Navaneethan,
Additional Government Pleader.

ORDER

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner would state that the property in S.No.260/24 of Pallikonda Village at Camarenpet Street was a proamboku land in occupation of his grandmother late Tmt. Neelavathi and his mother late Tmt. Rajammal and "B" memo were issued and the said land was subjected to the statutory levies.

3. The mother of the petitioner, on an earlier occasion, had filed W.P.No.24025/2008 against the very same respondents herein, to quash the order of the second respondent dated 25.08.2008 with a further direction to conduct a fresh enquiry and pass appropriate orders for grant of patta in her favour

and it was disposed of with certain directions and in compliance of the order, the second respondent, vide proceedings dated 16.04.2009 in Na.Ka.P5/975/2008 had ordered issuance of joint patta excluding the name of the mother of the petitioner and in this regard, appeal was also preferred before the first respondent. The first respondent vide communication dated 06.04.2016, had directed the second respondent to conduct a field inspection and submit a report and it was also followed by a reminder dated 30.06.2016.

4. Mr.A.Chellakumar, learned counsel appearing for the petitioner would submit that though the appeal was preferred as early as on 15.07.2009 and despite two communications sent by the first respondent to the second respondent directing him to conduct a field inspection and submit a report, no progress has been made to dispose of the appeal and therefore, the petitioner is constrained to approach this Court by filing this writ petition.

5. Heard the submission of Mr.S.Navaneethan, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 and 2.

6. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the second respondent to respond to the communications of the first respondent dated 06.04.2016 and 30.06.2016 and forward necessary report to the first respondent within a period of three weeks from the date of receipt of a copy of this order and the first respondent, on receipt of the said report and records from the second respondent, is directed to consider the appeal petition dated 15.07.2009, submitted by the petitioner, in accordance with law after putting on notice the respondents 3 and 4 and pass orders within a further period of six weeks thereafter and communicate the decision taken to the petitioner as well as to the respondents 3 and 4 and it is also open to the petitioner to move an application for interim order before the first respondent, who on receipt of the same, shall entertain the same, if the papers are otherwise in order and pass appropriate orders as expeditiously as possible.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsm

To

1.The Revenue Divisional Officer,
Vellore District, Vellore.

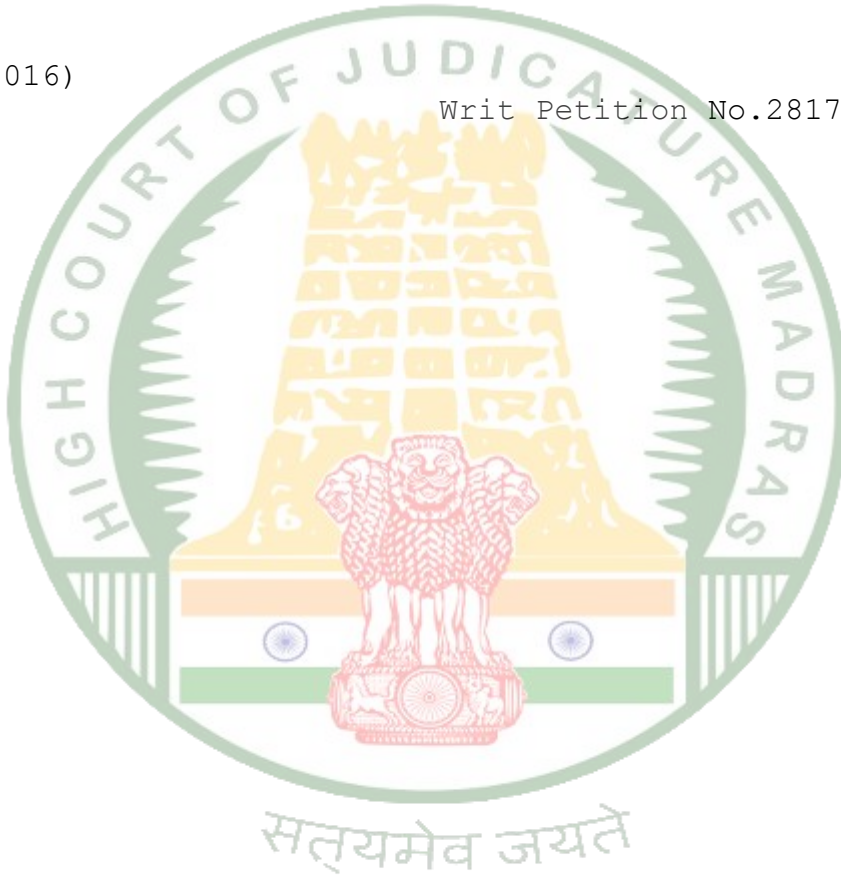
2.The Tahsildar,
Anaiket Taluk, Vellore District.

+1cc to Mr.A. Chellakumar, Advocate, S.R.No.46018

+1cc to the Government Pleader, S.R.No.46257

EU(09/09/2016)

Writ Petition No.28171 of 2016



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