

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2016

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29884 of 2016

And

W.M.P.No.25874 of 2016

A.Chandrakumar

... Petitioner

Vs.

- 1 The Settlement Officer,
Office of the Director of Settlement and Survey House,
Survey House Building,
Chepauk, Chennai – 600 005.
- 2 The Assistant Settlement Officer (South),
Office of the Director of Settlement and Survey House,
Survey House Building,
Chepauk, Chennai – 600 005.
- 3 The Special Tahsildar,
Settlement Operation,
Kumarapalayam Taluk,
Tiruchengode,
Namakkal District.
- 4 C.Sukumar ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st and 2nd respondent to consider the representation dated 25.07.2016 and to dispose the same within a stipulated time fixed by this Honourable Court.

For Petitioner : Mr.N.Vijaya Basker
for Law Vision

For Respondents : Mr.S.V.Durai Solaimalai for R1 to R3
Additional Government Pleader

O R D E R

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

2.The petitioner and two others, namely, Karthick s/o.Kamalakannan and Raj Kumar s/o.Jeyapal claims to have purchased lands admeasuring to an extent of 1.55 acres situated in S.No.18, Bismash No.35/5, Agraharam Village, Komarapalayam Taluk, Namakkal District through a registered sale deed bearing document no.8678/2013, dated 26.11.2013, registered on the file of the Office of the Sub Registrar, Komarapalayam, Namakkal District and thereafter, the entire Revenue records were mutated in their favour.

3.The petitioner would further state that one Chinnappan and Sugumar had fabricated the documents as if they are the owners of the property and Sugumar had approached the third respondent for cancellation of patta granted in favour of the petitioner and without appreciating the relevant facts and circumstances and records, an order dated 28.06.2014, came to be passed in favour of the fourth respondent and aggrieved by the same, the petitioner filed an appeal before the second respondent on 25.07.2016 and since no orders have

been passed, came forward to file this writ petition.

4.Heard the submissions of Mr.N.Vijaya Basker, learned counsel appearing for the petitioner and Mr.S.V.Durai Solaimalai, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 3.

5.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the second respondent to entertain the appeal dated 25.07.2016 submitted by the petitioner, if the papers are otherwise in order and after putting the fourth respondent on notice, give a disposal, in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the fourth respondent.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

29.08.2016

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Index: Yes/ No Internet: Yes/ No

M.SATHYANARAYANAN,J.
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To

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