

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.36720/2016

B.N.Sridhar

.. Petitioner

Vs.

1.The District Collector
Krishnagiri.

2.The District Revenue Officer
Krishnagiri.

3.Rasia Begum

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 2nd respondent to dispose of the appeal petition dated 02.05.2016 within a time frame in accordance with law.

For Petitioner : Ms.R.Poornima
For RR 1 & 2 : Mr.R.S.Selvam, GA

ORDER

Heard the learned counsel for the petitioner and Mr.R.S.Selvam, learned Government Advocate who accepts notice on behalf of the respondents 1 and 2 and with the consent on either side, the writ petition is taken up for final disposal.

2 The petitioner would state that he is the absolute owner of the property admeasuring to an extent of 737 ½ sq.ft., comprised in S.No.80, by virtue of a Sale Deed bearing Doc.No.156/1997 dated 26.12.1996 and from the date of purchase, he is in continuous possession and enjoyment of the same and was also issued with Patta No.290. It is his further case that the petitioner has constructed a building and left some portion of the land vacant. Adjacent to the petitioner's property, the house of the 3rd respondent is situate and the 3rd respondent, by fraudulent means, had obtained patta in respect of the vacant land of the petitioner as though the said vacant land belongs to the 3rd respondent and she was also issued with Patta No.568 and the vacant site has been sub divided as S.No.80/3IB. As against the said action of the 3rd respondent, the petitioner has preferred an appeal before the 2nd respondent on 02.05.2016 and the same is pending consideration

till date. Hence, the petitioner is constrained to approach this Court by filing the present writ petition.

3 This Court, considering the limited scope of prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner either in this writ petition or in his appeal petition, directs the 2nd respondent to consider and dispose of the petitioner's appeal dated 02.05.2016 on merits and in accordance with law after issuing notice to the 3rd respondent and pass orders as expeditiously as possible and communicate the decision taken, to the petitioner as well as to the 3rd respondent herein.

4 The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

AP

To

1.The District Collector
Krishnagiri.

2.The District Revenue Officer
Krishnagiri.

+1cc to M/s. R. Poornima, Advocate, S.R.No.60390
+1cc to the Government Pleader, S.R.No.60174

RK(CO)
EU(16/11/2016)

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