

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.7717 of 2016

P.Velliyangiri

... Petitioner

Vs.

1. The District Collector,
Tiruppur District, Tiruppur.

2. The Revenue Divisional Officer,
Tiruppur.

3. The Tahsildar,
Tirupur Taluk, Tiruppur.

4. Rathinasamy

5. Lakshmi

6. Srikanth

7. Nirmala Devi

8. Sivakami

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the second respondent to dispose of the petitioner's appeal dated 08.08.2015 within the time stipulated by this Court and further directing the 2nd respondent to cancel the patta issued to the 8th respondent in Patta Nos.52 and 125 on the file of the 3rd respondent and issue patta in respect of the properties in S.Nos.33 and 34, Chettipalayam Village, Tiruppur Taluk and Tiruppur District and S.No.111, Neriperichal Village, Tiruppur Taluk and Tiruppur District.

For Petitioner : Mr.K.A.Prabaharan

For R1 to R3 : Mr.M.Dig Vijaya Pandian,
Additional Government Pleader

O R D E R

The petitioner has come up with the present writ petition for a mandamus, directing the second respondent to dispose of his appeal dated 08.08.2015 within the time stipulated by this Court and further directing the 2nd respondent to cancel the patta issued to the 8th respondent in Patta Nos.52 and 125 on the file of the 3rd respondent and consequently issue patta in respect of the properties in S.Nos.33 and 34, Chettipalayam Village, Tiruppur Taluk and District and S.No.111, Neriperichal Village, Tiruppur Taluk and District.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who took notice for the respondents 1 to 3.

3. Though the petitioner raised very many averments in the writ petition, at the time of hearing, the learned counsel for the petitioner submitted that the petitioner filed an appeal dated 8.8.2015 before the second respondent, seeking to cancel the patta issued in favour of the eighth respondent and to issue patta in favour of the petitioner in respect of the properties in S.Nos.33 and 34 at Chettipalayam Village and in S.No.111 at Neriperichal Village, Tiruppur Taluk and District. Therefore, it would be suffice, if a direction is given to the second respondent to dispose of the said appeal within the specified time fixed by this Court.

4. In view of the submission so made by the learned counsel for the petitioner, I am of the view that there is no need to traverse into the entire averments made in this writ petition. Accordingly, the writ petition is disposed of, by directing the second respondent to consider the appeal filed by the petitioner dated 08.08.2015, by affording an opportunity of personal hearing to the petitioner as well as to the respondents 4 to 8 and other necessary parties, if any and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the second respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rk

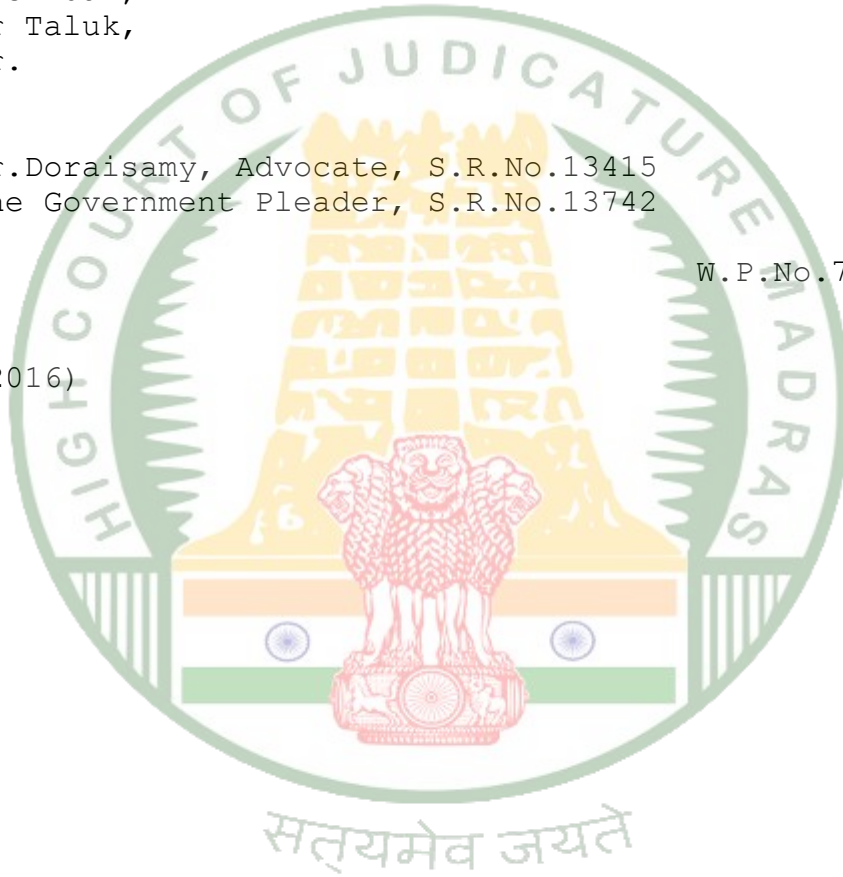
To

1. The District Collector,
Tiruppur District, Tiruppur.
2. The Revenue Divisional Officer,
Tiruppur Taluk, Tiruppur.
3. The Tahsildar,
Tiruppur Taluk,
Tiruppur.

+lcc to Mr.Doraisamy, Advocate, S.R.No.13415
+lcc to the Government Pleader, S.R.No.13742

W.P.No.7717 of 2016

MP(CO)
CA(07/03/2016)



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