

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.9780 of 2016

R.Kandasamy

.. Petitioner

Vs.

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

2. The Tahsildar,
Palacode Circle,
Dharmapuri District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the first respondent to consider and pass orders on the petitioner's revision petition, dated 17.11.2014 on merits and in accordance with law, within a reasonable time as fixed by this Court.

For Petitioner : Mr.K.S.Karthik Raja

For Respondents : Mr.P.Sanjay Gandhi, Addl.G.P.

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the first respondent to consider and pass orders on the petitioner's revision petition, dated 17.11.2014, on merits and in accordance with law, within a reasonable time as may be fixed by this Court.

2. It is the case of the petitioner that a plot of land of an extent of 2664 Sq.Ft. situated in Survey No.400/1, Keragodda Alli Revenue Village, Palacode Circle, Dharmapuri District, originally belonged to Pachai Achari, Rajamanickam, Nagarajan and Rajendran and the petitioner purchased the said land from them on 27.09.1985. The petitioner planted stones on the four corners and made necessary work for construction. It is further stated by the petitioner that three other persons also possess lands in the same survey number. Hence, in 1985, under UDR Patta Scheme, Joint Patta in Patta No.1111 was issued for all of them. From the date of purchase, the petitioner is in peaceful possession and enjoyment of the property and has not sold the property to any one. It is further stated by the petitioner that

his adjacent land owner sold his lands to one Dil Basha. The second respondent, by proceedings in No.8A/208/1413, dated 13.03.2004, issued individual patta to the said Dil Basha and in the patta issued in favour of Dil Basha, part of the land owned by the petitioner is also covered. As the second respondent has erroneously issued the above proceedings, the petitioner preferred a revision petition on 17.11.2014 to the first respondent. Since the said revision petition is still pending, the petitioner has filed this Writ Petition for the above relief.

3. Heard both sides.

4. Considering the limited scope of the prayer made in the Writ Petition, without going into the merits of the case, this Court directs the first respondent to consider the said revision petition of the petitioner, dated 17.11.2014 and after conducting enquiry and giving an opportunity of personal hearing to the petitioner and necessary parties, pass appropriate orders and dispose of the said revision petition, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.
cs

-s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

Copy to

1. The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District.
2. The Tahsildar,
Palacode Circle,
Dharmapuri District.

+ 1 cc to Mr.K.S.Karthick Raja, Advocate SR 16746

+ 1 cc to Govt.Pleader SR 17006

vgi(co)
prk29/3

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