

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.10372 of 2017

C.Krishnasamy

... Petitioner

Vs.

1.The District Collector,
Erode District.

2.The Revenue Divisional Officer,
Erode District.

3.The Tahsildar,
Perundurai Taluk, Erode District.

4.E.S.Appusamy

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 2nd respondent to consider the appeal dated 17.08.2015 seeking to cancel the fraudulent patta No.2392 standing in the name of E.S.Appusamy in respect of the land measuring an extent of 1 are comprised in S.No.828/22B situate at Perundurai Village and Taluk, Erode District pending in appeal dated 17.08.2015 on the file of the Revenue Divisional Officer, Erode.

For Petitioner :M/s.P.T.Ramadevi

For Respondents:Mrs.K.Bhuvaneswari,
Government Advocate (R1 to R3)

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O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the 2nd respondent to consider the appeal dated 17.08.2015 seeking to cancel the fraudulent patta No.2392 standing in the name of the 4th respondent in respect of the land measuring an extent of 1 are comprised in S.No.828/22B situate at Perundurai Village and Taluk, Erode District.

2.The learned counsel appearing for the petitioner submitted that as against the order passed by the 3rd respondent, the petitioner has filed an appeal before the 2nd respondent and that the same has not yet been disposed of.

3.Mrs.K.Bhuvaneswari, learned Government Advocate taking notice for the respondents 1 to 3 submitted that the 2nd respondent, the Revenue Divisional Officer may be directed to dispose of the appeal in accordance with law, after giving notice to the 4th respondent.

4.Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent, the Revenue Divisional Officer, Erode District to dispose of the appeal dated 17.08.2015 filed against the order passed by the 3rd respondent, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5.With these observations, the Writ Petition is disposed of. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

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To

1.The District Collector,
Erode District.

2.The Revenue Divisional Officer,
Erode District.

3.The Tahsildar,
Perundurai Taluk, Erode District.

+1cc to Mr.P.T.Ramadevi,sr.24897

W.P.No.10372 of 2017

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ss(9/5/2017)