

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.10478 of 2017

G.Murugan

[Petitioner]

Vs

1 . The District Collector,
Dharmapuri District,
Dharmapuri-5.

2 . The Revenue Divisional Officer,
Harur. Dharmapuri District.

3 . The Tahsildar,
Pappireddypatty Taluk,
Dharmapuri District.

4 . Madhu

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 2nd respondent herein to consider the appeal dated 14.09.2015 of the petitioner regarding issuance of separate patta in favour of the petitioner in respect of his half share of land to an extent of 47.5 cents out of total extent of 0.38.5 hectares (0.95 cents) in S.No.155/2B situated in Kadathur Village, Pappireddipatty Taluk, after measuring the same by metes and bounds and pass orders in accordance with law after giving due opportunity to the petitioner within a time stipulated by the court.

For Petitioner : Mr.D.Baskar

For Respondents 1 to 3 : Mr.S.Pattabiraman,
Government Advocate.

ORDER

Mr.S.Pattabiraman, learned Government Advocate, takes notice for the respondents 1 to 3.

2. By consent, the main writ petition itself is taken up for final disposal at the admission stage itself.

3. The petitioner has filed the above writ petition to issue a writ of mandamus directing the 2nd respondent to consider his appeal dated 14.09.2015 regarding issuance of

separate patta in his favour in respect of his half share of land measuring an extent of 47.5 cents out of the total extent of 0.38.5 hectares (0.95 cents) in S.No.155/2B situated in Kadathur Village, Pappireddipatty Taluk, after measuring the same by metes and bounds and pass orders in accordance with law after giving due opportunity to him, within a time frame.

4. The learned counsel appearing for the petitioner submitted that though the petitioner has filed the appeal before the 2nd respondent as early as on 14.09.2015, the 2nd respondent has not disposed of the same yet.

5. Mr.S.Pattabiraman, learned Government Advocate, appearing for the respondents 1 to 3 submitted that the 2nd respondent may be directed to dispose of the petitioner's appeal and pass orders in accordance with law, after giving notice to the 4th respondent.

6. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioner in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to consider the petitioner's appeal dated 14.09.2015 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the 4th respondent, .

With the above observation, the writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

- 1 . The District Collector,
Dharmapuri District,
Dharmapuri-5.
- 2 . The Revenue Divisional Officer,
Harur. Dharmapuri District.
- 3 . The Tahsildar,
Pappireddypatty Taluk,
Dharmapuri District.

+1 cc to Mr.R.Thamarai Selvan,advocate,sr.24927.

rr(co)
krd 5/5