

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.2072 of 2017

Nagesh

... Petitioner

vs.

The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent to dispose of the unnumbered appeal dated 04.11.2015 within a stipulated time in accordance with law.

For Petitioner : Mr.R.Jayaprakash

For Respondent : Mr.P.V.Selvakumar,
Additional Government Pleader

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the respondent to dispose of the unnumbered appeal dated 04.11.2015.

2. The case of the petitioner is that the properties at S.No.78/5, 102/4, 102/12 at Agraharam Village, Hosur Taluk, Krishnagiri District are his ancestral properties in the name of his father, viz. Boolappa. Since wrong entries were made in the patta at the time of updation, the petitioner sent a series of representations to the respective authorities for further action. Since no steps were taken, the petitioner preferred an application to the Sub Collector on 04.02.2013 requesting him to issue patta in his favour.

3. Since there was no reply from the Sub Collector, the petitioner filed a Writ Petition in W.P.No.26822 of 2013 seeking a direction to the Sub Collector to consider his representation dated 04.02.2013 and this Court, by an order dated 06.03.2015, directed the 2nd respondent therein to dispose of his representation and pass appropriate orders. Pursuant thereto, the Sub-Collector passed an order rejecting the petitioner's representation. Hence, the petitioner preferred an appeal before

the respondent on 04.11.2015 seeking to set aside the order of the Sub-Collector. Thereafter, the respondent herein called upon the petitioner for an enquiry through his proceedings dated 02.12.2016 and an enquiry was also conducted on 16.12.2016. As no orders are passed by the respondent, the petitioner is once again before this Court.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. It is represented by the learned Additional Government Pleader appearing for the respondent that the appeal dated 04.11.2015 preferred by the petitioner has been heard.

6. In such view of the matter, this Court directs the appellate authority to consider the petitioner's appeal dated 04.11.2015 on merits and in accordance with law and pass appropriate orders, as expeditiously as possible.

This Writ Petition is disposed of with the above direction. No costs.

s/d-
Assistant Registrar (CS-II)

//True Copy//

Sub-Assistant Registrar

To:

The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

+1 CC to Mr. R. Jayaprakash, Advocate sr 5722
+1 CC to The Govt. Pleader sr 5941

Order in
W.P.No.2072 of 2017
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