

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.38000 of 2016

M.Balakrishnan

... Petitioner

Vs.

1 The District Collector
Thiruvallur District
Thiruvallur

2 The District Revenue Officer
District Collector Office
Thiruvallur District
Thiruvallur

3 The Revenue Divisional Officer
Ponneri Taluk
Thiruvallur District

4 The Tahsildar
Ponneri Taluk
Thiruvallur District

5 S.Pawan Kumar Bohra

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents, especially the 2nd respondent, to initiate appropriate action on Appeal dated 08.02.2016 to cancel the patta with the subdivisions of 18-1B/1C2-A and 18-2B/1B-1 of petitioner's property which has been subdivided without the knowledge and without getting into any sale consideration from the petitioner and consequently direct the 4th respondent to Restore the patta No.38 that originally issued to the petitioner on 12.11.1992 with the original survey numbers 18-1B/1C2 and 18-2B/1B and original extension as per the sale deed dated 08.04.1987.

For Petitioner : Mr.S.Prem Raj Kumar

For Respondents : Mr. E.Balamurugan

Addl. Govt. Pleader - for R1 to R4

Mr.S.Mahaveer - for R5.

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the 2nd respondent, to initiate appropriate action on Appeal dated 08.02.2016 to cancel the patta with the subdivisions of 18-1B/1C2-A and 18-2B/1B-1 of his property, which has been subdivided without the knowledge and without getting into any sale consideration from the petitioner and consequently direct the 4th respondent to restore the patta No.38, originally issued to him as per the sale deed dated 08.04.1987

2. The learned counsel appearing for the petitioner submitted that the petitioner has filed an appeal before the 2nd respondent as against the grant of patta on 08.02.2016 and it would be suffice to direct the 2nd respondent to dispose of the appeal within a time frame.

3. Mr. E.Balamurugan, learned Additional Government Pleader appearing for the respondents 1 to 4 submitted that the 2nd respondent may be directed to dispose of the appeal filed by the petitioner, in accordance with law, after giving notice to all the interested parties.

4. In view of the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to dispose of the appeal dated 08.02.2016 filed by the petitioner, on merits and in accordance with law, after giving notice to all the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No costs.

सत्यमेव जयते

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

Rj

To

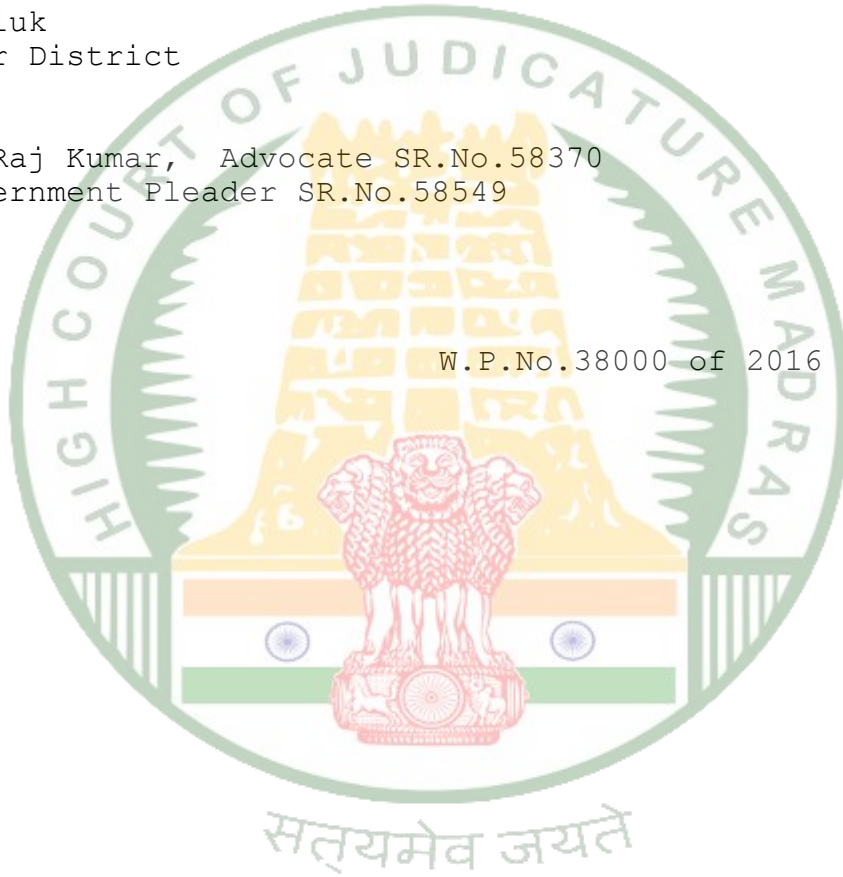
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Thiruvallur District

+1 CC Mr.S.Prem Raj Kumar, Advocate SR.No.58370
+1 CC to The Government Pleader SR.No.58549

CO-CS
ths : 01.09.2017

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