

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.38921 of 2016

V.Sathyanarayanan

.. Petitioner

Vs.

1. The Assistant Settlement Officer (North)
Office of the special Commissioner and
Director of Survey and settlement,
Survey House, Chepauk,
Chennai - 600 005.
2. The District Collector,
Kanchipuram District,
Kanchipuram.
3. The Revenue Divisional Officer,
Tambaram taluk Office,
NH 32 Chitalapakkam,
Tambaram West, Tambaram,
Chennai - 45.
4. The Special Tahsildar,
Urban Land Tax Office, Revenue Follow-up Service,
Tambaram-45.
5. The Tahsildar,
Tambaram Taluk Office,
NH 32 Chitalapakkam,
Tambaram West, Tambaram,
Chennai-45.

6. S.R.Raja .. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to consider the petitioner Appeal dated 22.08.2016 and consequently issue direction to issue separate patta for Plot No.64 at Haritha Enclave, Tambaram Village in Old S.G.No.384/1A4, 384/1A5, in Ward D, block 2, and Town Survey No.7/25, 7/26 an extent of 3618 S.Feet, as per Sale deed dated 17.03.1999 in Doc.No.1302/1999.

For Petitioner: Mr.MA.P.Thangavel

For Respondents: Mr.A.Kumar

Special Government Pleader for R1 to R5

No appearance for R6.

O R D E R

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 5.

2. Though the notice sent to the 6th respondent was served, he has not chosen to appear either in person or through counsel. His name is printed in the cause list.

3. The petitioner seeks for a direction to the respondents to consider his appeal dated 22.08.2016 and consequently, to issue a direction to issue separate patta for Plot No.64 at Haritha Enclave, Tambaram Village in Old S.G.No.384/1A4, 384/1A5, in Ward D, block 2, and Town Survey No.7/25, 7/26 an extent of 3618 S.Feet, as per Sale deed dated 17.03.1999 in Doc.No.1302/1999.

4. It is seen that arising out of the patta proceedings, the petitioner has approached the 3rd respondent and filed the said appeal on 22.08.2016. The grievance of the petitioner is that the said appeal is not yet disposed of even though the petitioner was called upon to appear for enquiry as early as on 24.11.2016. Since the said appeal is said to be pending before the 3rd respondent even till this date, without expressing any view on the merits of the claim made by the petitioner, this Writ Petition is disposed of only by directing the 3rd respondent to consider the said appeal filed by the petitioner and pass orders on merits and in accordance with law, after giving due opportunity of hearing to the petitioner as well as the other interested parties including the 6th respondent. Such exercise shall be done by the 3rd respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

vsi

To

1. The Assistant Settlement Officer (North)
Office of the special Commissioner and
Director of Survey and settlement,
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Chennai - 600 005.
 2. The District Collector,
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Tambaram-45.
 5. The Tahsildar,
Tambaram Taluk Office,
NH 32 Chitalapakkam,
Tambaram West, Tambaram,
Chennai-45.
- + 1 cc to Mr.MA.P.Thangavel, Advocate, SR.77012
+ 1 cc to The Govt.Pleader, SR.77173

W.P.No.38921 of 2016

KK(CO)
NR 14/11/2017

सत्यमेव जयते

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