

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.5105 of 2018

S.Sarala Devi

... Petitioner

vs.

1. The Revenue Divisional officer
Taluk Office Complex
Opp. Mepz, GST Road,
Kadaperi, West Tambaram
Chennai-600 045.

2. The Tahsildar
Tambaram Taluk
Kancheepuram District.

3. S.Vijay Babu

4. Mrs.Abhaya Jayaraaman Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to dispose of the statutory appeal filed by the petitioner on 24.10.2017 under Section 12 of the Patta Pass Book Act, as against the Patta issued by the 2nd respondent in favour of the 4th respondent based on the fraudulent sale deeds.

For Petitioner : Mr.V.Bhiman
for M/s.Sampathkumar & Asso.
For Respondents : Mr.R.Govindasamy
Special Government Pleader
for R1 & R2

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents 1 and 2. Since this writ petition is being disposed of, without affecting the interest of the respondents 3 & 4, notice to those respondents is dispensed with.

2. The petitioner seeks for mandamus directing the first respondent to dispose of the statutory appeal filed by the petitioner on 24.10.2017 under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983, as against the Patta issued by the 2nd respondent in favour of the 4th respondent.

3. The grievance of the petitioner before this Court is that the said appeal is still pending and not yet disposed of. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent to consider and decide the same. Thus, this writ petition is disposed of, only with a direction to the first respondent to dispose of the appeal filed by the petitioner on 24.10.2017, after hearing the petitioner as well as the respondents 3 & 4 and other interested parties, if any, if the said appeal is not yet disposed of. Such exercise shall be done by the first respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Revenue Divisional officer
Taluk Office Complex
Opp. Mepz, GST Road,
Kadaperi, West Tambaram
Chennai-600 045.

2. The Tahsildar
Tambaram Taluk
Kancheepuram District.

+1 CC to M/s.Sampathkumar & Asso. Advocate Sr.No.17350

+1 CC to Government Pleader, High Court, Chennai Sr.No.17778

W.P.No.5105 of 2018

KP(15/03/2018)