

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8412 of 2018

K.M.Sasivarnan @ Venkatesan ... Petitioner

-vs-

1. The Revenue Divisional Officer
Ranipet 632 401
Vellore District

2. The Tahsildar
Arakonam Taluk
Vellore District

3. Kalaimagal Sabha (Reg.No.16/84)
rep by its Advocate Receiver
(Appointed by High Court, Madras)
No.48, North Usman Road
T.Nagar
Chennai 600 017

Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to consider the appeal preferred by the petitioner on 17.6.2017 in so far as the transfer of patta no.233 in respect of the lands in Survey No.426/1A, Thanigaipolur Village, Arakonam Taluk, Vellore District by the second respondent in accordance with law within the time frame as fixed by this Hon'ble Court.

For Petitioner :: Mr.R.Karthikeyan

For Respondents :: Mr.D.Suryanarayanan
Additional Government Pleader
for R1 & 2

ORDER

This writ petition has been filed by Mr.K.M.Sasivarnan @ Venkatesan, S/o Muniratnam claiming to be the owner of the land measuring 48 cents covered in Survey No.426/1A situated in Thanigaipolur Village, Arakkonam Taluk, Vellore District by a registered sale deed bearing Document No.988 of 1991 dated 19.6.91 from the original owner Tmt.Radhammal. As the petitioner wanted to avail loan from the co-operative bank by pledging the documents pertaining to agricultural lands, he applied for encumbrance certificate. On receipt of such certificate subsequently, the petitioner came to know that an encumbrance has been created in respect of Survey No.426/1A in favour of the members of Kalaimagal Sabha by one Jayalakshmi, Mahesh, Suresh and Nagabushanam with Document No.133 of 1997 dated 7.2.97. Subsequently, without issuing notice to the petitioner, the second respondent appears to have removed the name of the petitioner in Patta No.233 in respect of Survey No.426/1A and entered the names of the members of Kalaimagal Sabha, Kumarapalayam. Hence, a petition was filed on 29.4.2015 before the second respondent. But there was no response. As there is no action taken, the petitioner has come to this Court seeking a mandamus to the first respondent to consider his appeal/representation dated 17.6.2017.

2. The learned Additional Government Pleader for the respondents 1 & 2 sought eight weeks time to consider the case of the petitioner.

3. This Court hereby directs the first respondent-Revenue Divisional Officer, Ranipet to consider the pending appeal/representation of the petitioner dated 17.6.2017 on merits and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

ss

To

1. The Revenue Divisional Officer
Ranipet 632 401
Vellore District

2. The Tahsildar
Arakonam Taluk
Vellore District.

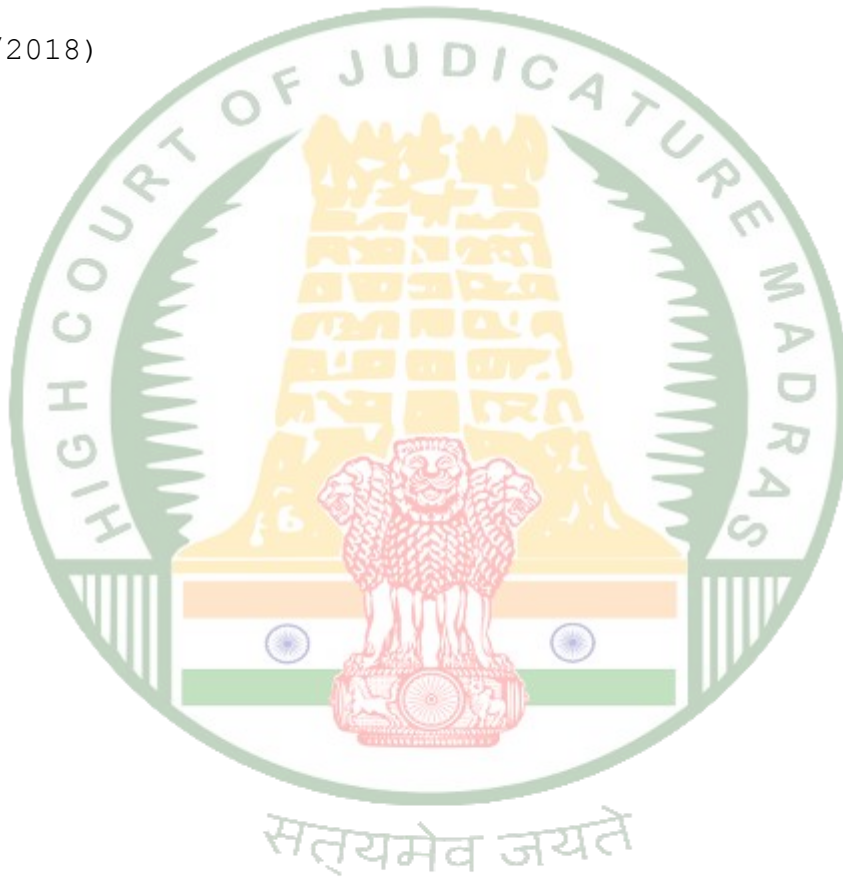
+1cc to Mr.R.Karthikeyan, Advocate, S.R.No.26212

+1cc to The Government Pleader, S.R.No.26783

W.P.No.8412 of 2018

SSV(CO)

RRK(16/05/2018)



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