

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.4947 of 2018

and

WMP.Nos.6099 & 6100 of 2018

1.M.S.Manikandan
Son of Somasundaram

2.Somasundaram
S/o.Mariappan

Vs.

1.The Tahsildar
Ponneri Taluk
Ponneri.

2.The Revenue Divisional Officer
O/o.Revenue Divisional Office
Ponneri.

3.Nirmala
W/o.Arjunan

... Petitioners

.... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records of the 1st respondent pertaining to the file in Na.Ka.No.4856/2017/a1 in which the order of cancellation was passed on 19.02.2018, and quash the same.

For Petitioners : Mr.M.Gnanasekar

For Respondents : Mr.S.Soundararajan
Government Advocate for R1 & R2

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O R D E R

Mr.S.Soundararajan, learned Government Advocate takes notice for the respondents 1 & 2. Since this writ petition is being disposed of, without affecting the interest of the third respondent, notice to the said respondent is dispensed with.

2. The petitioners are aggrieved against the order of the

first respondent dated 19.02.2018, arising out of the Patta proceedings.

3. Admittedly, as against the said order, an Appellate remedy lies before the second respondent. It is also seen that the petitioners have already filed such an appeal before the second respondent on 26.02.2018. When such being the factual position, I do not think that the petitioners are entitled to maintain the present writ petition. Accordingly, without expressing any view on the merits of the claim made by the petitioners, this writ petition is disposed of, only with a direction to the second respondent to consider such appeal filed by the petitioners on merits and in accordance with law, after giving due opportunity of hearing to the petitioners as well as the other interested parties, if any. Since the appeal was filed on 26.02.2018, the second respondent shall pass orders on the same as expeditiously as possible, in any event within a period of four months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VII)

//True copy//

Sub Assistant Registrar

mk

To

1.The Tahsildar
Ponneri Taluk
Ponneri.

2.The Revenue Divisional Officer
O/o.Revenue Divisional Office
Ponneri.

+1cc to Mr.M.Gnanasekar, Advocate SR.No.17165
+1cc to Government Pleader SR.No.17420

W.P.No.4947 of 2018

GN(14/03/2018)