

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2018

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.8748 of 2012

J. Sathiya Satchi

... Petitioner

Versus

1. The District Revenue Officer
Kanchipuram District.
 2. The Assistant Land Tax and Planning Officer (North),
Principal Secretary/Commissioner,
Land Survey and Land Tax Planning Officer,
Chepauk, Chennai
 3. The Tahsildar
Tambaram Taluk Office
 4. Government of Tamil Nadu
Rep.by Secretary, Revenue Department,
Fort St.George,
Chennai - 600 009
- ... Respondents

PRAYER:Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to pass orders in the appeal representation dated 21.04.2011 referred to the first respondent by the second respondent under letter Na.Ka.No.E2/6528/2011 dated 07.07.2011 pending on the file of the first respondent filed against the order of the third respondent dated 28.12.2005 issued in Na.Ka.No.7003/2005 A1 and to issue patta for the extent of 2.47.5 hectares of land comprised in S.No.430/1 and 2, Perumbakkam Village, Sholinganallur Taluk, Kanchipuram District.

For Petitioner :: Mr.S.Sadasharam

For Respondents:: Mrs.Sri Jayanthi
(Special Government Pleader)

ORDER

The Writ Petition has been filed seeking a Mandamus to direct the first respondent, namely, the District Revenue Officer, Kanchipuram District, to pass orders on the representation dated 21.04.2011, which had been referred to the said officer by the second respondent, namely, the Assistant Land Tax and Planning Officer (North), Principal Secretary/Commissioner, Land Survey and Land Tax Planning Officer, under letter Na.Ka.No.E2/6528/2011 dated 07.07.2011.

2. It is the case of the petitioner, that he had been in possession and enjoyment of an extent of 2.47.5 hectares of agricultural land since the year 1965 in S.No.430/1 and 2, Perumbakkam Village, Sholinganallur Taluk, Kanchipuram District.

3. The petitioner claimed that it was an ancestral property. UDR patta in Patta No.651 had also been granted. However, the third respondent, namely, the Tahsildar, Tambaram, appeared to have conducted an enquiry and passed an order on 28.12.2005, cancelling the patta, stating that the property is actually Government Poramboke Pattai Land.

4. As against the said order, the petitioner had given an appeal/ representation dated 21.04.2011 to the second respondent. The second respondent, in turn had forwarded the same to the first respondent by letter dated 07.07.2011 and drew attention of the first respondent that no orders has been passed. It is under these circumstances, the writ petition has been filed.

5. Heard Mrs. Sri Jayanthi, learned Special Government Pleader appearing for the respondents.

6. The learned Special Government Pleader has stated that as against the order of the Tahsildar, Tambaram, the petitioner should file necessary appeal before the District Revenue Officer. On the other hand, the petitioner appears to have sought an appeal/representation. Since the representation is pending in the office of the District Revenue Officer namely, the first respondent, the first respondent is directed to pass a speaking order on the said representation within a period of 6 weeks from this date.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. The District Revenue Officer,
Kanchipuram District.
2. The Assistant Land Tax and Planning Officer (North),
Principal Secretary/Commissioner,
Land Survey and Land Tax Planning Officer,
Chepauk, Chennai
3. The Tahsildar,
Tambaram Taluk Office
4. The Secretary,
Revenue Department,
Fort St.George,
Chennai - 600 009.

+1cc to the Government Pleader Sr.78306

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srg 31/12/2018

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