

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.2329 of 2018

1.V.Vajravadivel
2.V.Kalyana Kumar

... Petitioners

versus

1. The District Collector,
Ariyalur, Ariyalur District - 621 851

2. The Tahsildar,
Ariyalur Taluk,
Ariyalur District - 621 851

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to consider the petitioner's Appeal dated 08.11.2017 preferred before him against the order dated 18.08.2017 bearing No.Na.Ka.A.1/3974/2017 passed by the 2nd respondent whereby the petitioners request for issuance of patta for their land measuring an extent of 1908 Sq.ft. Comprised in Survey No.265/17 situated at Nadhu Street, Thirumazhapadi Village and Post, Ariyalur Taluk and District were rejected and to set aside the said order and consequently to direct the 2nd respondent to issue joint patta for the said land in their favour.

For Petitioners : Mr.C.P.Siva Mohan

For Respondents : Mr.D.Suriyanarayanan,
Additional Government Pleader

WEB COPY
O R D E R

Mr.D.Suriyanarayanan, learned Addl. Government Pleader takes notice for the respondents and by consent, the writ petition is taken up for final disposal.

2. The petitioner seeks for a mandamus directing the 1st respondent to consider the petitioners appeal dated 08.11.2017 preferred by the petitioner against the order passed by the 2nd respondent dated 18.08.2017 rejecting the petitioners' request for grant of patta in respect of the subject matter land.

3. Heard both sides.

4. It is seen that the petitioner has approached the 2nd respondent and sought for issuance of patta in respect of the subject matter land. However, such request was rejected by the 2nd respondent on 18.08.2017. Challenging the said order, the petitioner preferred an appeal before the 1st respondent herein as well as the Revenue Divisional Officer, Ariyalur Taluk, Ariyalur District on 08.11.2017. It is stated that the said appeal is still pending.

5. Considering the fact, that the petitioner has already filed an appeal before the Revenue Divisional Officer, who is the competent authority to consider and decide the same, this writ petition is disposed of, by directing the Revenue Divisional Officer, Ariyalur Taluk, Ariyalur District to dispose of the said appeal filed by the petitioner on its own merits and in accordance with law, after hearing all the parties concerned. Such exercise shall be done by the said authority within a period of twelve weeks from the date of receipt of copy of this order. Since the Revenue Divisional Officer is not a party to this writ petition, the Registry is directed to mark a copy of this order to the said official. No costs.

Sd/-

ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

rka/vri

To

1. The District Collector,
Ariyalur, Ariyalur District - 621 851

2. The Tahsildar,
Ariyalur Taluk,
Ariyalur District - 621 851

3. The Revenue Divisional Officer,
Ariyalur Taluk, Ariyalur District

+1 cc to the Government Pleader, High Court, Chennai-104 SR.NO.8746

+1 cc to Mr.C.P.Sivamohan, Advocate SR.NO. 8227

W.P.No.2329 of 2018

SSD(CO)

JK 19/02/18