

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 3.7.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16202 of 2018

1 P.Vaikundaraman
S/o. Ponmuthu Nadar,
No. B4 Vimal Emerald Flat,
Rajagopal Street, Valasaravakkam,
Chennai - 600087. PETITIONER

Vs.

1 The District Revenue Officer,
Kancheepuram District

2 The Revenue Divisional Officer,
Tambaram Kancheepuram District

3 S.Suresh
S/o. Shanmugam
Plot No. 11G Thirumurugan street,
Ganesh Nagar Vellacherry,
Chennai - 600042

4 J.Stanilaus
No. 47 Perumal Nagar,
Nanganallur Chennai - 600061

5 Dr.R.Padmanaban
S/o. D.Ramadass
No. 123 G-3 Manrey Flats,
Sengaliamman Koil Street, Puzhithivakkam,
Chennai - 600091.

... RESPONDENTS

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's appeal dated 07.10.2017 and pass appropriate orders within stipulated time period as may be fixed by this Court.

For Petitioner : Mr.T.Sundaravadanam
For Respondents : Mrs.P.Rajalakshmi, A.G.P.

O R D E R

The petitioner claims to have purchased vacant land property to the extent of 0.25 cents comprised in S.No.147/1 from M.Narasimhan, S/o Mahadevan, vide registered D.No.4041/2005, dated 23.8.2005. However, patta was issued to third parties by the revenue department, as if the title was purchased from the actual owners. Therefore, the petitioner has approached the revenue authorities for transfer of patta in his name on 30.9.2005 which was not considered by the respondents. Hence, he has filed writ petition in W.P.No.41260 of 2005. This Court by order, dated 23.12.2005 directed the Tahsildar, Tambaram Taluk to consider the application of the petitioner and pass orders on merit within eight weeks time. After enquiry, the Tahsildar, Tambaram directed the petitioner to approach civil Court and rejected the case of the petitioner without assigning any reason. Therefore, he has filed an appeal before the Revenue Divisional officer, Tambaram and the same was also rejected on 23.8.2017. As against the order passed by the Revenue Divisional Officer, Tambaram, dated 23.8.2017, the second respondent herein, the petitioner has filed an appeal before the District Revenue Officer, Kancheepuram District on 7.10.2017 and the same is pending before the first respondent herein for a long time.

2. The learned Additional Govt. Pleader taking notice for the respondents 1 and 2 sought for time for disposal of the appeal pending before the first respondent.

3. Considering the request made by the learned Additional Govt. Pleader, this Court hereby directs the District Revenue Officer, Tambaram, the first respondent herein to consider the appeal filed by the petitioner herein as against the order passed by the second respondent herein, and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

4 Accordingly, the writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1 The District Revenue Officer,
Kancheepuram District
- 2 The Revenue Divisional Officer,
Tambaram Kancheepuram District

+1cc to Mr.T.Sundaravadanam, Advocate, S.R.No.42920

+1cc to the Government Pleader, S.R.No.43637

GSP(13/07/2018)

W.P.No.16202 of 2018



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