

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.17958 of 2018

P.Vadivel

.. Petitioner

Vs.

1.The District Revenue Officer,
District Collector Office, Krishnagiri.

2.The Sub Collector,
Sub Collector Office,
Hosur, Krishnagiri District.

3.The Tahsildar,
Taluk Office, Hosur Krishnagiri District.

4.P.Nagesh

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's appeal petition dated 27.05.2018 against the order dated 13.10.2015 passed by the 2nd respondent in respect of land measuring an extent of 0.18.0 hectares comprised in Survey No.78/5 situated at Motham Agragharam Village, Hosur Taluk, Krishnagiri District.

For Petitioner : Mr.R.Bharath Kumar

For Respondents: Mrs.D.Surya Narayanan

Additional Government Pleader (R1 to R3)

सत्यमेव जयते
O R D E R

The petitioner claims to be the Pattadar of the land measuring an extent of 0.18.0 hectares comprised in Survey No.78/5 situated at Motham Agragharam Village, Hosur Taluk, Krishnagiri District.

2.The learned counsel for the petitioner submitted that the land originally belonged to one Koopaliappa, who died on 10.02.1976 and his wife, who also subsequently died without any issues. After the death of Koopaliappa, his brother Thimmaraya Reddy was in possession of the said land. The said Thimmaraya Reddy died intestate on 16.06.1992, leaving behind his son Venkatasamy Reddy. The petitioner had purchased the land from

the Power Agents of Venkatasamy Reddy through a registered Sale Deed dated 19.08.2008 bearing Document No.11000 of 2008 on the file of the Sub Registrar, Hosur. Thereafter, the revenue authorities have also issued patta in the name of the petitioner in Patta No.67 showing S.No.78/5 measuring an extent of 18 ares.

3.When patta had already been issued in the name of the petitioner, the 4th respondent had challenged the same by way of an appeal before the 2nd respondent, who also allowed the appeal, cancelling the patta No.67 issued in favour of the petitioner. Against the same, the petitioner preferred an appeal before the 1st respondent and the same is pending for a long time.

4.The 1st respondent had issued summons on 04.06.2018 calling upon the petitioner to appear for an enquiry on 15.06.2018 and pursuant to the same, the petitioner had also participated in the enquiry. But till date, no order has been passed.

5.The learned Additional Government Pleader appearing for the respondents 1 to 3 sought sufficient time to consider and pass orders on the pending appeal petition before the 1st respondent.

6.In view of the submission made, the Writ Petition is disposed of with a direction to the 1st respondent to consider and pass final orders, on merits, on the pending appeal petition filed by the petitioner on 27.05.2018 within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The District Revenue Officer,
District Collector Office, Krishnagiri.

2.The Sub Collector,
Sub Collector Office,
Hosur, Krishnagiri District.

3.The Tahsildar,
Taluk Office,Hosur Krishnagiri District.

+lcc to Mr.R.Bharath Kumar, Advocate, S.R.No.47630

+lcc to the Government Pleader, S.R.No.47541

W.P.No.17958 of 2018

SKV(CO)

GSP(31/07/2018)