

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.18080 of 2018

V.Ganesh

.. Petitioner

-vs-

1. The Revenue Divisional Officer,
Thiruvallur District,
Thiruvallur.
2. The Tahsildar,
Avadi Taluk, Avadi,
Thiruvallur District.
3. Nemichand .. 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 representation dated 22.6.2018 and to enquire the Appeal filed by her against the proceedings of the 2nd respondent passed in Na.Ka.No.8391/2016/Aa1 dated 29.8.2017 and dispose of the same within a time fixed by this Court.

For Petitioner :: Mr.V.Ilamvazhuthi
For Respondents 1 & 2 :: Mr.M.Jothikumar, AGP

ORDER

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 22.6.2018 and to enquire the Appeal filed by her against the proceedings of the 2nd respondent passed in Na.Ka.No.8391/2016/Aa1 dated 29.8.2017 and dispose of the same within a time fixed by this Court.

2. The case of the petitioner is that she has purchased a vacant site bearing Plot No.142, Ayappakkam Village, previously known as Ambattur Taluk, now Avadi Taluk under a Registered Sale Deed dated 05.07.1990 registered as Document No.4859 of 1990 in the office of the Sub-Registrar, Ambattur from one J.Sambu Prasad. Before putting up any construction, he has approached

the previous jurisdictional Tahsildar, Maduravoyal on 7.3.2015 with a representation to issue a patta in respect of her property bearing Plot No.142. On receipt of the same, the Tahsildar, Maduravoyal has sent a letter dated 19.3.2015 informing the petitioner to appear on 26.3.2015 along with relevant documents relating to the property and accordingly, the petitioner appeared before the Tahsildar. Thereafter, on 26.7.2016, the petitioner sent a remainder. Since there is no response for the same, the petitioner filed W.P.No.32587/2016 to consider his representation dated 31.8.2016 and the same was disposed of on 19.9.2016. While so, on 29.8.2017, the 2nd respondent herein issued a Proceedings rejecting the claim of the petitioner. The petitioner has preferred an appeal against the said order before the 1st respondent. Since the same is still pending, the present Writ Petition came to be filed.

3. Mr.M.Jothi Kumar, learned Additional Government Pleader, who takes notice for the respondents 1 and 2 sought for eight weeks time to consider the pending appeal on merits.

4. Placing on record his statement, the 1st respondent is directed to consider and dispose of the appeal/representation of the petitioner dated 22.6.2018 on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this Order.

5. The Writ Petition is disposed of accordingly. No costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Thiruvallur District, Thiruvallur.

2. The Tahsildar,
Avadi Taluk, Avadi,
Thiruvallur District.

+1cc to Mr.S.V.S.ILAMVAZHUTHI, Advocate, S.R.No.47379

+1cc to the Government Pleader, S.R.No.48017

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CS (DR)

SMI/02.08.2018