

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.18843 of 2018

M.Poornasundari .. Petitioner

Vs

1.The Secretary to Government
Revenue Department
Secretariat
Fort St. George
Chennai - 600 009.

2.The District Collector
Erode District
Erode.

3.The Revenue Divisional Officer
Erode.

4.The Thasildar
Erode.

5.P.Saravanan .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to dispose the appeal dated 03.10.2017 expeditiously.

For Petitioner : Mr.G.Pavendhan

For Respondents: Mr.R.Udhayakumar
Addl. Govt. Pleader [R1 to R4]

ORDER

[Order of the Court was made by N.KIRUBAKARAN, J]

By consent, this writ petition is taken up for final disposal.

2. The petitioner is said to have been in possession and enjoyment of the land in Re-Survey No.182/2, situated at Veppampalayam, Erode Taluk, Erode District. According to the respondents, the said land has been classified as pathway and the petitioner encroached upon the said property and enjoying the same. Therefore, an order of eviction has been passed by the Tahsildar, evicting the petitioner from the said land and against which, the petitioner preferred an appeal to the Collector contending that the area under her occupation is a patta land. The said contention was rejected and the appeal was dismissed by the Collector on 20.03.2017. Against the said order, the petitioner has filed a review petition before the first respondent on 03.10.2017. Though the review petition has been filed as early as on 03.10.2017, till date no orders have been passed by the first respondent in the said review petition and therefore, the petitioner has come forward with this petition for expeditious disposal of the review petition.

3. Heard Mr.G.Pavendhan, learned counsel for the petitioner and Mr.R.Udhayakumar, learned Additional Government Pleader, who takes notice on behalf of respondents 1 to 4.

4. Considering the facts and circumstances of the case and also considering the fact that since the petitioner's review petition dated 03.10.2017 is pending before the first respondent, this Court, directs the first respondent to dispose of the same, within a period of eight weeks from the date of receipt of a copy of this order, on merits and in accordance with law. Till the order is passed in the review petition and it is served upon the petitioner, the respondents are directed not to evict the petitioner or interfere with her possession.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

vsm

To

1.The Secretary,
Government of Tamil Nadu
Revenue Department
Secretariat
Fort St. George
Chennai - 600 009.

2.The District Collector
Erode District
Erode.

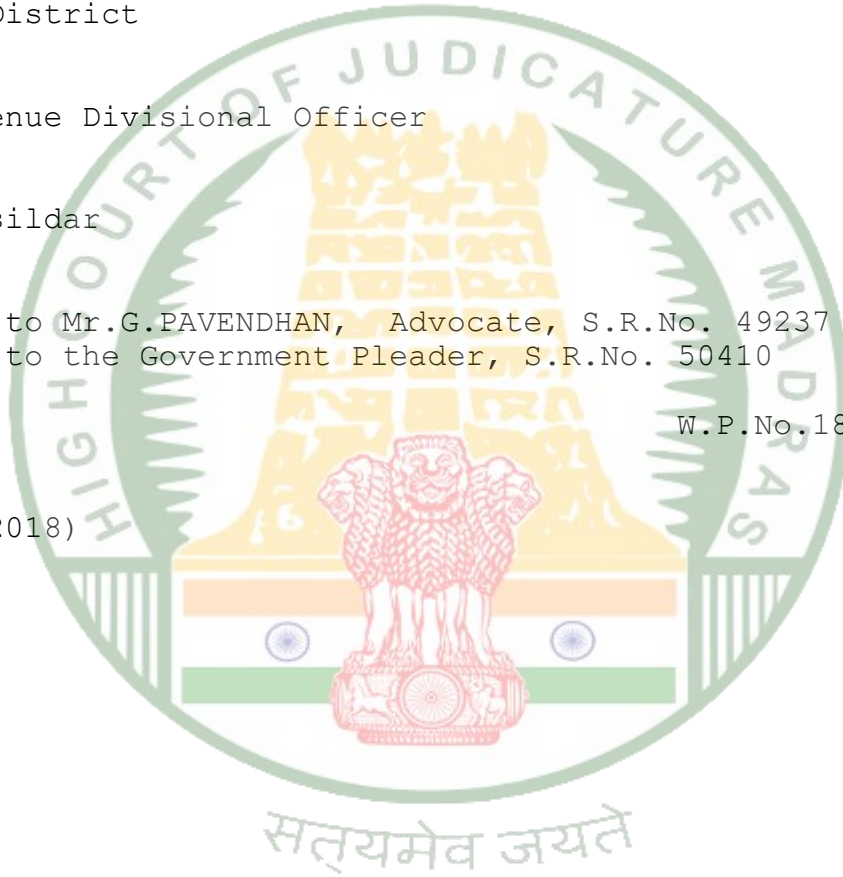
3.The Revenue Divisional Officer
Erode.

4.The Thasildar
Erode.

+1cc to Mr.G.PAVENDHAN, Advocate, S.R.No. 49237
+1cc to the Government Pleader, S.R.No. 50410

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SPD(CO)
TR(09/08/2018)



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