

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.12.2018

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.32872 of 2018

M.Venkatesh

.. Petitioner

Vs.

1. The Sub Collector,  
Office of Sub Collector,  
Hosur - 635 109.
2. The District Revenue officer,  
Krishnagiri District,  
Krishnagiri.
3. Muniyappa
4. Krishnamma
5. Chinnasamy

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to remove the name of the respondents 3 to 5 in patta No.821 based on the appeal dated 17.02.2017.

For Petitioner : Mr.S.C.Vishwanth

For Respondents 1 & 2 : Mr.N.Inbanathan  
Additional Government Pleader

O R D E R

By consent of both parties, the Writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the second respondent to remove the names of the respondents 3 to 5 in patta No.821 based on the appeal dated 17.02.2017.

3. Earlier, this Court in W.P.No.22113 of 2016 vide order dated 29.06.2016, directed the first respondent to consider and dispose of the petitioner's representation dated 01.01.2014 seeking to remove the names of the respondents 3 to 5 in patta No.821 and issue patta in his favour, on merits and in accordance with law. Pursuant to the said order of this Court, the first respondent has passed the impugned order dated 27.01.2017, vide his proceedings dated Pa.Mu.2730/2016/B3 rejecting the claim of the petitioner. Aggrieved by the same, an appeal has been preferred by the petitioner before the second respondent on 17.02.2017 and the same is kept pending. Therefore, the mandamus is sought for.

4. Heard Mr.N.Inbanathan, learned Additional Government Pleader on behalf of the respondents 1 & 2.

5.Considering the facts and circumstances of the case and the submissions of the learned counsel on either side, this Court directs the second respondent to dispose of the appeal dated 17.02.2017 on merits and in accordance with law, after issuing notice to the petitioner, respondents 3 to 5 herein as well as any of the interested parties and also affording them an opportunity of personal hearing within a period of six weeks from the date of receipt of a copy of this order.

6.With the above directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

srn/av  
To

1. The Sub Collector,  
Office of Sub Collector,  
Hosur - 635 109.

2. The District Revenue officer,  
Krishnagiri District,  
Krishnagiri.

+1cc to Government Pleader sr.no.86717  
+1cc to Mr.S.C.Vishwanth, Advocate sr.no.86123

W.P.No.32872 of 2018

ssd(co)  
nr 07/01/2019



WEB COPY