



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2018

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.17607 of 2018

and

W.M.P (MD) Nos.15479 to 15481 & 17806 of 2018

A.Solai Thevar

... Petitioner

Vs.

- 1.The Principal Secretary /
Commissioner of Survey and Settlement,
"Survey House" - 3rd Floor,
Chepauk,
Chennai - 600 005.
- 2.The Settlement Officer,
O/o the Commissioner of Survey and Settlement,
Survey House,
Chepauk, Chennai - 620 005.
- 3.The Assistant Settlement Officer (South)
Chepauk,
Chennai - 600 005.
- 4.The Sub-Collector,
Palani,
Dindigul District.
- 5.The Land Settlement Tahsildar,
(Formerly Land Settlement Tahsildar, Palani)
Dindigul,
Dindigul District.
- 6.The Tahsildar,
Palani,
Dindigul District.
- 7.The Zonal Deputy Tahsildar,
Palani,
Dindigul District.
- 8.The Commissioner,
Palani Municipality,
Palani,
Dindigul District.



9.The District Registrar,
Registration Department,
Palani,
Dindigul District.

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10.The Assistant Accounts Officer,
Revenue Division,
TANGEDCO,
palani,
Dindigul District.

11.The Deputy Superintendent of Police,
Palani,
Dindigul District.

12.S.Appavu

13.M.Chitra

14.M.Chandru

15.M.Sarumathy

16.S.Arumugam

17.A.Meenakshi

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to number and dispose the Appeal dated 13.07.2018 filed by the petitioner against the order No.Na.Ka.A1/14846/2010 (Va.Pi.Tho.Pa.Me.Mu) dated 29.06.2018 passed by the second respondent within a time limit to be fixed by this Court.

For Petitioner : Mr.A.Thirumurthy

For Respondents : Mr.C.M.Mari Chelliah Prabhu
AGP (for R1 to R7)
Mr.M.Murugan,
G.A (for R9)
V.Perumal (for R12 and R17)
Mr.S.Louis (for R13 to R16)
Mr.Arjunan (for R8)

ORDER

The prayer in this writ petition is as follows:-

"To issue a Writ of Mandamus directing the first respondent to number and dispose the Appeal dated 13.07.2018 filed by the petitioner against the order No.Na.Ka.A1/14846/2010 (Va.Pi.Tho.Pa.Me.Mu) dated 29.06.2018 passed by the second respondent within a time limit to be fixed by this Court."

<https://hcservices.ecourts.gov.in/hcservices/> 2. When the matter is taken up for hearing, it is represented by the counsels appearing for both the official and private respondents that a direction may be issued to the first respondent



to number and dispose of the appeal dated 13.07.2018 stated to have been filed by the petitioner against the order dated 29.06.2018 passed by the second respondent.

3. According to the counsels appearing for either parties, the appeal which was filed by the petitioner on 13.07.2018, is pending before the first respondent and the same has not been numbered and disposed of.

4. Since the prayer as sought in the writ petition is limited in scope and in view of the no objection and request by the counsels appearing for both the official as well as the private respondents, the following direction is issued:-

"the first respondent is directed to number the appeal filed by the petitioner on 13.07.2018 against the order passed by the second respondent in No.Na.Ka.A1/14846/2010 (Va.Pi.Tho.Pa.Me.Mu) dated 29.06.2018 and pass final orders on the appeal, after giving notice to all the interested parties, within a period of four weeks from the date of receipt of a copy of this order."

5. Mr. A. Thirumurthy, learned counsel appearing for the petitioner would submit that the crucial documents which need to be relied upon by the petitioner would not be furnished to him and therefore, he expressed certain apprehension about the non-furnishing of the certain documents to be relied on by him. In any case, it is upto the petitioner to approach the first respondent and seek copies of appropriate documents which according to the petitioner, are helpful in advancing his case and in case such application is made, the same may be considered by the first respondent and appropriate orders may be passed thereon.

6. Pending a final decision in the appeal, the subject property shall not be encumbered by any of the parties.

7. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS-I)

TO

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9.The District Registrar,
Registration Department,
Palani, Dindigul District.

10.The Assistant Accounts Officer,
Revenue Division,
TANGEDCO, palani,
Dindigul District.

11.The Deputy Superintendent of Police,
Palani, Dindigul District.

+1 CC To MR.A.THIRUMURTHY, Advocate SR. NO.91107
+1 CC To MR.V.PERUMAL, Advocate SR. NO.91606
+1 CC To MR.S.LOUIS, Advocate SR. NO. 91743
+1 CC TO The Special Government Pleader SR.NO. 91406

W.P.(MD)No.17607 of 2018
and W.M.P(MD)Nos.15479 to 15481 &
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SKN

TP/SKN/SAP-I(20.11.2018)4P 16C
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