

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.3148 of 2019

A.Chakkarabani

... Petitioner

Versus

1.The District Revenue Officer,
Kancheepuram,
Kancheepuram District - 631 501.

2.The Sub Collector/Revenue Divisional Officer,
Madhurantakam,
Kancheepuram District.

3.The Tahsildar,
Cheyyur Taluk,
Cheyyur.

4.Rajendran
5.Palani
6.Muthu
7.Perumal

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the first respondent to take appropriate action and pass final orders in the petitioner's Appeal dated 31.10.2018.

For Petitioner : Mr.R.Subburaj

For RR1 to 3 : Mr.V.Shanmugasundar
Special Government Pleader

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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 filed this writ petition seeking for issuance of writ of mandamus to direct the first respondent to take appropriate action and pass final orders in the petitioner's Appeal dated 31.10.2018.

3. The case of the petitioner is that the petitioner's father is the owner of the property to an extent of 02.08 acres comprised in Survey No.48/1 at Panaiyur Village and the patta stands in the name of his father. After the death of his father, his mother executed a settlement deed in favour of her children. After the settlement deed, they approached the third respondent for change the name in the patta. The public information officer informed that the third parties names were included in the patta under UDR scheme and subsequently, the petitioner's father name was removed from the patta. Therefore, the petitioner made an appeal before the second respondent. Subsequently, he filed a Writ Petition and got order in his favour. Even after disposal of the writ petition, the second respondent has not disposed of the appeal. Hence, the petitioner filed a contempt petition before this Court. During the pendency of the contempt petition, the second respondent passed the final order. Against the said order, the petitioner filed an appeal before the first respondent on 31.10.2018 which is pending. While so, the seventh respondent trying to put up a construction without any permission from the authorities. Hence, the petitioner moved an application for interim relief against the seventh respondent pending disposal of the appeal, but, till date the first respondent has not passed any final order. Therefore, the mandamus is sought for.

4. Heard, Mr.R.Subburaj, learned counsel appearing for the petitioner and Mr.V.Shanmugasundar, learned Special Government Pleader appearing for the respondents 1 to 3.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the first respondent to dispose of the Appeal filed by the petitioner dated 31.10.2018 on merits and in accordance with law after issuing notice to the petitioner, respondents 4 to 7 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, the writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rsi

To

1.The District Revenue Officer,
Kancheepuram,
Kancheepuram District - 631 501.

2.The Sub Collector/Revenue Divisional Officer,
Madhurantakam,
Kancheepuram District.

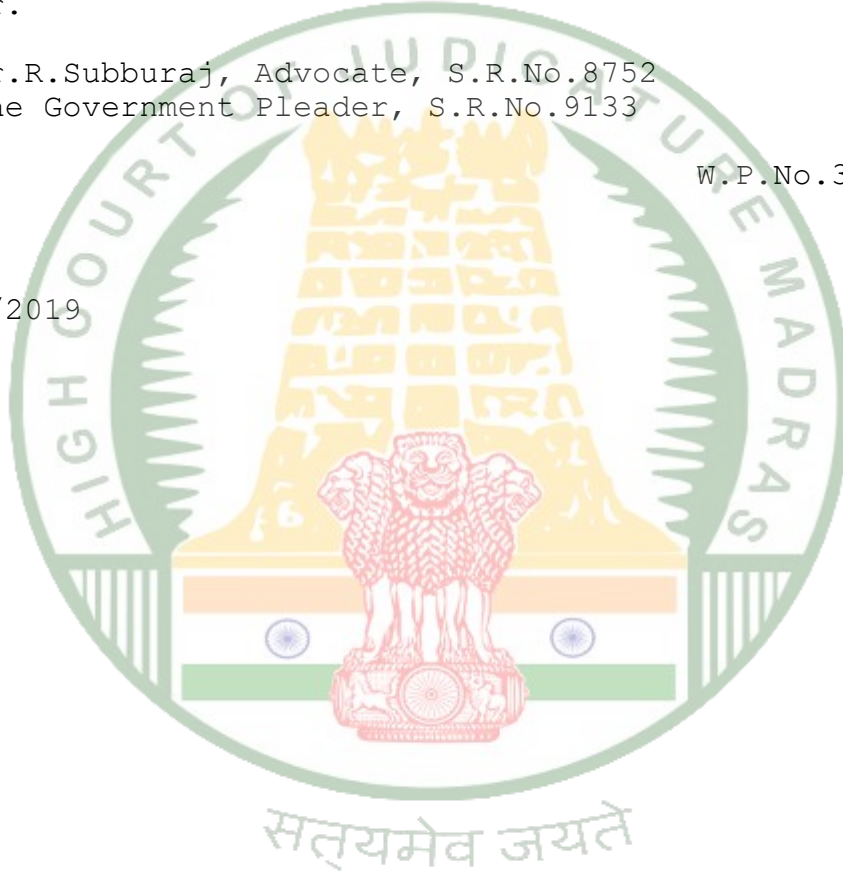
3.The Tahsildar,
Cheyyur Taluk,
Cheyyur.

+1cc to Mr.R.Subburaj, Advocate, S.R.No.8752
+1cc to the Government Pleader, S.R.No.9133

W.P.No.3148 of 2019

CP(CO)

rrs 26/02/2019



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