

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.5116 of 2019

N.Muniraj

...Petitioner

Vs.

1.The Sub Collector
Hosur, Krishnagiri District.

2.The Thasildar
Shoolagiri
Krishnagiri District.

3.Vekatesappa

4.Narayanasamy

5.Seenappa

6.Krishnappa

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 & 2 to grant joint patta in Patta No.360, in respect of the land in S.No.123/7A2 (Old No.123/7) of Nerigam Village, Shoolagiri Taluk, Krishnagiri District, based on the appeal dated 12.10.2018.

For Petitioner: Mr.Vishwanth S.C.

For Respondents: Mr.V.Prabhu
Government Advocate for R1 & R2

O R D E R

Mr.V.Prabhu, learned Government Advocate takes notice for the respondents 1 & 2. Since this writ petition is being disposed of, without affecting the interest of the respondents 3 to 6 in any manner, notice to the said respondents is dispensed with.

2. The petitioner sought for joint patta in respect of the land in S.No.123/7A2 (Old No.123/7) of Nerigam Village, Shoolagiri Taluk, Krishnagiri District, before the second respondent. By proceedings dated 20.09.2018, the second respondent has rejected the said claim of the petitioner. Challenging the said order of the second respondent, the petitioner preferred an appeal before the first respondent on 12.10.2018.

3. The grievance of the petitioner is that the said appeal is still pending and not yet disposed of.

4. This Court, at this stage, is not expressing any view on the merits of the claim made in the appeal, as it is for the first respondent to consider and decide the same on merits and in accordance with law. As the limited prayer sought for by the petitioner is to dispose of the appeal at an early date, this writ petition is disposed of, only by directing the first respondent to dispose of the appeal dated 12.10.2018 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner, the respondents 3 to 6 and other interested parties, if any. Such exercise shall be done by the first respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Sub Collector,
Hosur, Krishnagiri District.

2.The Thasildar,
Shoolagiri,
Krishnagiri District.

+1cc to the Government Pleader Sr.17028
+1cc to Mr.S.C.Vishwanth, Advocate Sr.16447

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srg 23/03/2019