

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.11133 of 2019

R.Thangavel

...Petitioner

Vs.

The Director
Directorate of Survey & Land Records
Government of Puducherry
Puducherry.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to number the appeal dated 07.05.2018 filed by the petitioner before the respondent, fix a hearing date and to dispose of the same within a time frame.

For Petitioner : Mr.R.Mugundhan

For Respondents: Mr.J.Kumaran
Additional Government Pleader (P)

O R D E R

Mr.J.Kumaran, learned Additional Government Pleader (P) takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondent to number the appeal dated 07.05.2018 filed by the petitioner and dispose of the same.

3. According to the petitioner, he is the absolute owner of a house site and adjoining land in South Street, Molapakkam, Kariamannickam Revenue Village in Nettapakkam Commune, Puducherry, measuring an extent of 2 3/1 kuzhies. It is stated by the petitioner that he got separate patta in his favour in respect of the house site in R.S.No.124/49, bearing Patta No.510 (N), however, for the remaining land, which is in possession, had been wrongly included in Patta No.91 comprised in R.S.No.124/4, which was issued to the next land owner. Hence,

the petitioner gave an application on 14.08.2017 to the Settlement Officer, Directorate of Survey and Land Records, Puducherry to survey the land in R.S.No.124/4 and subdivide the same. However, by issuing a proceedings dated 10.04.2018, the said authority has rejected the application of the petitioner. Thereafter, the petitioner filed an appeal on 07.05.2018 before the respondent against the rejection order dated 10.04.2018. Now, the grievance of the petitioner is that the respondent is not even numbering the appeal and dispose it of so far.

4. Heard both sides.

5. This Court, at this stage, is not expressing any view on the merits of the appeal filed by the petitioner, as it is for the respondent to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the respondent to number the appeal and dispose of the same on merits and in accordance with law, after hearing all the parties concerned. Such exercise shall be done by the respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

mk

To
The Director
Directorate of Survey & Land Records
Government of Puducherry
Puducherry.

+1cc to Mr.R.Mukandan, Advocate SR.No.37257

+1cc to Additional Government Pleader (Puducherry) SR.No.36782

W.P.No.11133 of 2019

PMS (CO)
GMY (22/05/2019)