

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 29.04.2019

CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.12938 of 2019
and
WMP.No.13098 of 2019

M/s.Muruga Polytechnic College
Represented by its Correspondent, Rahamathulla
Melur Village
Kallakurichi - 606 201.

... Petitioner

Vs.

1.The District Additional Administrative Magistrate Court
cum District Revenue Officer
Office of the Collectorate Building
Villupuram, Villupuram District.

2.The Sub-Collector
Office of the Sub-Collector Officer
Kallakurichi.

3.The Thasildar
Kallakurichi Taluk
Villupuram.

4.S.Arivarasan

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to dispose of the stay application filed along with Appeal No.B2/9222/2019 dated 08.04.2019 within a time frame fixed by this Hon'ble Court and consequently, restraining the 3rd respondent from in any way altering, modifying, changing the Revenue records insofar as the lands situated in Survey Nos.126/1, 127/1B2, 127/1B3 and 130/1A2 situated at Mellur Village, Kallakurichi Taluk, till disposal of the stay application.

For Petitioner : Mr.E.Vijay Anand

For Respondents: Mr.R.Govindasamy
Special Government Pleader

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents 1 to 3. Since this writ petition is being disposed of without affecting the interest of the fourth respondent, notice to the said respondent is dispensed with.

2. The petitioner seeks for a mandamus directing the first respondent to dispose the stay application filed along with the appeal dated 08.04.2019 against the order of the second respondent, cancelling the patta standing in the name of the petitioner.

3. It is stated that the said cancellation of patta was made without affording an opportunity of hearing to the petitioner and at the instance of the fourth respondent. Therefore, it is stated that the petitioner has preferred an appeal before the first respondent challenging such cancellation also by filing an application for interim stay. The grievance of the petitioner before this Court is that the said application has not been taken up and decided by the first respondent so far, as the third respondent, in the meantime, is trying to alter the entries in the Revenue Records, based on such cancellation of patta.

4. This Court at this stage is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent to consider and decide the appeal on its own merits and in accordance with law. However, as it is stated that the petitioner has filed the stay application pending disposal of the appeal, the first respondent shall take up the stay petition and dispose the same on its own merits and in accordance with law after hearing the petitioner as well as the fourth respondent and other interested parties, if any, within a period of three weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of, accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mk

To

1.The District Additional Administrative Magistrate Court
cum District Revenue Officer
Office of the Collectorate Building
Villupuram, Villupuram District.

2.The Sub-Collector
Office of the Sub-Collector Officer
Kallakurichi.

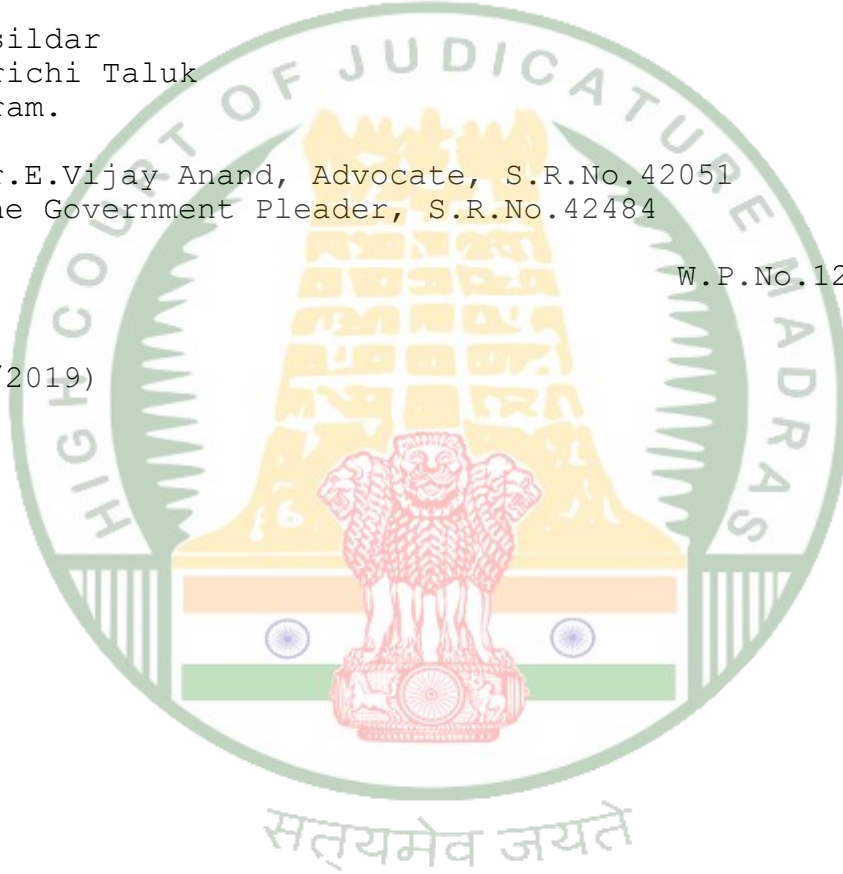
3.The Thasildar
Kallakurichi Taluk
Villupuram.

+1cc to Mr.E.Vijay Anand, Advocate, S.R.No.42051
+1cc to the Government Pleader, S.R.No.42484

W.P.No.12938 of 2019

SKV (CO)

RRS (06/05/2019)



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