

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH  
and  
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.17198 and 17203 of 2019  
and  
W.M.P.Nos.16748 and 16752 of 2019

R.Duraisamy .. Petitioner in both Writ Petitions

Vs.

1. The Commissioner,  
Commissioner of Land Administration,  
Ezhilagam, Chepauk,  
Chennai-600 005.
2. The District Revenue Officer, Thirupur.
3. The Revenue Divisional Officer, Thirupur.
4. The Land Revenue Inspector,  
Velampalayam Inner Circle,  
Thirupur.
5. Tahsildar (North),  
Thirupur Taluk, Thirupur District.
6. The Village Administrative Officer,  
Chettipalayam Village,  
Thirupur.
7. Rangasamy
8. Theivathal
9. Kannan .. Respondents in both Writ Petitions

Writ Petition No.17198 of 2019 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to forbear the respondents from interfering with the petitioner's peaceful possession and enjoyment of property measuring an extent of 3.08 acres situated in S.F.No.159 at Chettipalayam Village, Thirupur.

Writ Petition No.17203 of 2019 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to forbear the respondents from interfering with the petitioner's peaceful possession and enjoyment of property measuring an extent of 1.96 acres situated in S.F.No.158/1 at Chettipalayam Village, Thirupur.

For petitioner : Mr.V.P.K.Gowtham

For respondents: Mr.V.Shanmuga Sundar, Spl.G.P.  
for RR-1 to 6

#### ORDER

(The Order of the Court was made by R.Subbiah,J)

Writ Petition No.17198 of 2019 is filed praying for issuance of a Writ of Mandamus to forbear the respondents from interfering with the petitioner's peaceful possession and enjoyment of property measuring an extent of 3.08 acres situated in S.F.No.159 at Chettipalayam Village, Thirupur.

2. Writ Petition No.17203 of 2019 is filed praying for issuance of a Writ of Mandamus to forbear the respondents from interfering with the petitioner's peaceful possession and enjoyment of property measuring an extent of 1.96 acres situated in S.F.No.158/1 at Chettipalayam Village, Thirupur.

3. Though several contentions have been raised with regard to the prayer made in these Writ Petitions and the counter affidavits have also been filed by the respondents 2 to 6, ultimately, when the Writ Petitions are taken up for consideration, it is represented by the learned counsel for the petitioner that since the appeal dated 25.03.2016 filed by the petitioner is still pending before the first respondent/Commissioner of Land Administration, it would suffice if the first respondent is directed to dispose of the said appeal within a time frame.

4. In view of the above submission made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent-Commissioner of Land Administration to dispose of the appeal, dated 25.03.2016 filed by the petitioner, by affording an opportunity of hearing to the petitioner and necessary parties, including the respondents 7 to 9 herein, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, or on production of this order by the petitioner, whichever is earlier. It is made clear that this Court has not expressed any opinion on the merits of the claim

of the petitioner and it is for the first respondent to decide the same at the time of disposing of the said appeal purely on merits. Till such time, there shall be an order of status-quo as on today, to be maintained by both parties.

5. With the above observations and directions, the Writ Petitions are disposed of. No costs. Consequently, W.M.Ps. are closed.

Sd/-  
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

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To

1. The Commissioner,  
Commissioner of Land Administration,  
Ezhilagam, Chepauk,  
Chennai-600 005.
2. The District Revenue Officer, Thirupur.
3. The Revenue Divisional Officer, Thirupur.
4. The Land Revenue Inspector,  
Velampalayam Inner Circle,  
Thirupur.
5. Tahsildar (North),  
Thirupur Taluk, Thirupur District.
6. The Village Administrative Officer,  
Chettipalayam Village,  
Thirupur.

+1cc to Mr.V.P.K.Gowtham, Advocate SR.No.62515

W.P.Nos.17198 & 17203 of 2019

SS(CO)  
GMY(20/08/2019)