IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.10.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

W.P.No.26327 of 2019

Lakshmanan,
S/o.Veerappa,
D.No.2/175, Peria Elasagiri Village,
Nallur Panchayath,
Begepallai Post, Hosur Taluk,
Krishnagiri District. ... Petitioner

/versus/

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Hosur,
Krishnagiri District.

2. The Tahsildar,
Taluk Office,
Hosur, Krishnagiri District. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the 1st respondent herein to dispose of the appeal dated 11.06.2018 submitted by the petitioner, in accordance with law and within stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For R1 & R2 : Mr.N.Inbanathan
Additional Government Pleader

O R D E R

Heard the Learned Counsel for the Petitioner and the Learned Additional Government Pleader for the Respondents 1 & 2.

2. This Writ Petition is filed seeking Mandamus to direct the 1st respondent to dispose of the appeal preferred by the petitioner, challenging the order passed by the Tahsildar, Hosur, Krishnagiri District.

3. The petitioner has averred that, the 2nd respondent has granted patta for several persons in their village for

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constructing house under Indira Gandhi Awaaz Yojna Scheme. Whereas, the petitioner and three others alone were excluded from getting patta. Hence, the appeal was preferred against the rejection order passed by the Tahsildar, Hosur, Krishnagiri District, before the 1st respondent. The 1st respondent has failed to pass orders on the appeal dated 11.06.2018. Hence, direction to dispose of the appeal within stipulated time.

4. The Learned Additional Government Pleader appearing for the respondents 1 & 2 would submit that, the appeal preferred by the petitioner was considered. His request to issue patta was initially rejected by the Tahsildar vide order proceedings dated 31.01.2018. On appeal, same was considered by the Revenue Divisional Officer/1st respondent and taking note of the fact that, the site for which the petitioner seeks patta has been declared as hill area and there is a statutory prohibition to assign house patta within 16 kilometre radius, as per G.O.Ms.No.376, dated 08.03.1988.

5. Hence, the Revenue Divisional Officer, Hosur, Krishnagiri District, has rejected the appeal confirming the order passed by the Tahsildar, since the 1st respondent has passed order on 11.09.2019 on the appeal filed by the petitioner, nothing survives in this Writ Petition.

6. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CJ conf)

//True Copy//

Sub Assistant Registrar

bsm
To,

1. The Revenue Divisional Officer,
   Revenue Divisional Office,
   Hosur, Krishnagiri District.

2. The Tahsildar,
   Taluk Office,
   Hosur, Krishnagiri District.

+1cc to Mr.K.Govi Ganesan, Advocate SR.87524
+1cc to the Government Pleader SR.87768

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BS(CO)
CB(14/11/2019)

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