

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:08.11.2019

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.26682 of 2019

V.Dayalan

.. Petitioner

/versus/

1.The District Revenue Officer,
District Collector Office,
Krishnagiri,
Krishnagiri District 635 115.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Hosur 635 109,
Krishnagiri District.

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

4.Mr.K.Vijayakumar

5.Mr.R.Ramasamy Reddy ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 20.05.2019 for cancellation of sub division made in Survey No.759/3 vide Patta No.2963 of Nallur Village, Hosur Taluk, Krishnagiri District and keep the revenue records in Survey No.759/3 covered by patta No.2339 as per the proceeding issued by the 1st respondent in Na.Ka.520/2007/J2, dated 23.01.2008 till the disposal of the suit in O.S.No.68/2008 on the file of the District Munsif Court, Hosur within the time to be stipulated by this Court.

For Petitioner:Mr.R.Bharath Kumar

For Respondents:Mr.D.Raja, AGP for R1 to R3
Mr.G.M.Anantha Kumar for R4
Ms.R.Poornima for R5

O R D E R

This Writ Petition has been filed praying to issue a Writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 20.05.2019 for cancellation of sub division made in Survey No.759/3 vide Patta No.2963 of Nallur Village, Hosur Taluk, Krishnagiri District and keep the revenue records in Survey No.759/3 covered by patta No.2339 as per the proceeding issued by the 1st respondent in Na.Ka.520/2007/J2, dated 23.01.2008 till the disposal of the suit in O.S.No.68/2008 on the file of the District Munsif Court, Hosur within the time to be stipulated by this Court.

2.The petitioner herein aggrieved by the sub division made in patta No.2963 and 2339 has given a representation on 20.05.2019 to cancel the sub division. The said representation is pending with the second respondent.

3.After notice, the learned Additional Government Pleader for respondents 1 to 3 and learned counsels for respondents 4 and 5 appeared before this Court and submitted that there is a civil suit pending on the file of the District Munsif Court, Hosur in O.S.No.68 of 2008 between the petitioner and the private respondent No.5. In any event, the representation of the petitioner to cancel of sub division made in S.No.759/3 in Nallur Village, Hosur Taluk, Krishnagiri District is taken up for enquiry and the representation of the petitioner is under consideration.

4.The 2nd respondent has filed a status report wherein it is stated that there is a dispute over the said land between the petitioner and respondents 4 and 5 for several years. While the land in S.No.759/3A measuring 0.56.0 hectare is under possession and enjoyment of the 5th respondent-Ramasamy Reddiar and 6 others, the land in S.No.759/3B2 measuring 0.24.32 hectare is under possession and enjoyment of the 4th respondent-Tmt.Vijayalakshmi and two others and also a civil suit is pending between some of the parties in respect of the said property.

5.In such circumstances, the 2nd respondent has stated that the enquiry initiated based on the representation of the petitioner will be completed and after enquiry, orders will be passed within a period of three months.

6.Recording the same, the wirt petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

To:

1.The District Revenue Officer,
District Collector Office,
Krishnagiri,
Krishnagiri District 635 115.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Hosur 635 109,
Krishnagiri District.

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

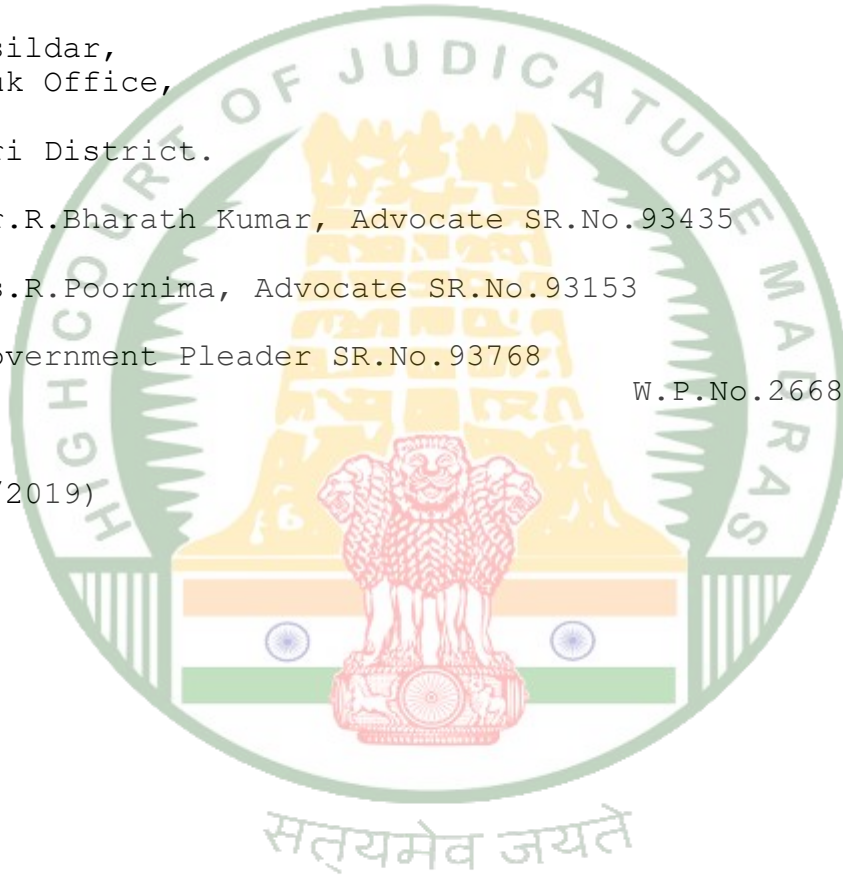
+1cc to Mr.R.Bharath Kumar, Advocate SR.No.93435

+1cc to Ms.R.Poornima, Advocate SR.No.93153

+1cc to Government Pleader SR.No.93768

W.P.No.26682 of 2019

VBA (CO)
GMY (26/11/2019)



WEB COPY