



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.10.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

W.P.No.26924 of 2019
& W.M.P.No.26305 of 2019

M.Shanmugam,
S/o.Muthalagan Chettiar,
No.B.41, Thiaga Brammam Street,
Subramania Nagar, Salem - 636 005.

... Petitioner

/versus/

1. The Commissioner of Land Administration,
Chepauk, Chennai - 600 005.
2. The District Revenue Officer,
Namakkal, Namakkal District.
3. The Tahsildar,
Rasipuram Taluk,
Rasipuram, Namakkal District.
4. The Village Administrative Officer,
Molapalayam, Rasipuram Taluk,
Namakkal 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 forthwith consider and pass orders on the appeal of the petitioner dated 07.04.2019 in accordance with law and after affording a reasonable opportunity of hearing to the petitioner and consequently forbear the respondents 2 to 4 from changing the classification of the lands of the petitioner in Survey Numbers 120/1, (Now 120/1A) situated at Molapalayam Village, Rasipuram Taluk, Namakkal District, till the disposal of the appeal of the petitioner, dated 07.04.2019 by the 1st respondent.

For Petitioner : Mr.K.Selvaraj

For R1 to R4 : Mr.J.Purushothaman
Government Advocate

O R D E R

Heard the Learned Counsel for the Petitioner and the Learned Government Advocate for the Respondents 1 to 4.

2. The petitioner herein being the Court auction purchaser of land in S.No.120/1A, at Molapalayam Village, Rasipuram Taluk, Namakkal District. His aggrieved by the re-classification of patta land as Poramboke land, the District Revenue Officer, Namakkal, has preferred appeal before the Commissioner of Land Administration. Challenging the order of District Revenue Officer passed on 25.02.2019 the appeal not been disposed of so far. Hence, the present Writ Petition is filed seeking Mandamus to dispose of the appeal pending on the file of the 1st respondent/Commissioner of Land Administration, within reasonable time.

3. The Learned Government Advocate appearing for the respondents 1 to 4 would submit that, the District Revenue Officer has passed order of re-classifying the land as Government Poramboke land only after proper enquiry. However, the petitioner not been satisfied, has filed the appeal before the Commissioner of Land Administration and same is under active consideration, the appeal will be disposed of as early as possible.

4. Recording the said undertaking, the Writ Petition is disposed of, with direction to the 1st respondent to consider the appeal preferred by the petitioner herein within a period of eight weeks, from the date of receipt of a copy of this order, after affording due opportunity to the respective parties. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

To,

1. The Commissioner of Land Administration,
Chepauk, Chennai - 600 005.
2. The District Revenue Officer,
Namakkal, Namakkal District.
3. The Tahsildar,
Rasipuram Taluk,
Rasipuram, Namakkal District.

4. The Village Administrative Officer,
Molapalayam, Rasipuram Taluk,
Namakkal District.

+1 CC to Mr.K.Selvaraj, Advocate sr 87627
+1 CC to The Govt. Pleader sr 87753.

W.P.No.26924 of 2019

NMI (CO)
SP(11/11/2019)



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