

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

W.P.No. 32331 of 2019
and W.M.P.Nos.32625 and 32627 of 2019

Vimala @ Chinnapappa

... Petitioner

-vs-

- 1.The Additional Chief Secretary/Commissioner,
Land Administration, Chennai - 9.
- 2.The District Collector,
Dharmapuri District, Dharmapuri - 5.
- 3.The District Revenue Officer,
Dharmapuri District, Dharmapuri - 5.
- 4.The Revenue Divisional Officer,
Dharmapuri District, Dharmapuri - 5.
- 5.The Tahsildar,
Dharmapuri Taluk, Dharmapuri District.
- 6.The Revenue Inspector,
Krishnapuram Revenue Village,
Dharmapuri Taluk and District.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned notice dated 20.09.2019 issued by the 6th respondent herein, quash the same as illegal and consequently forbear the respondents from in any way interfering with the petitioner's peaceful possession and enjoyment over the land comprised in S.No.428/3 measuring to an extent of 0.64.0 hectares which is wrongly mentioned S.No.428/1 of an extent of 0.05.0 hectares situated at Naickanahalli Village, Dharmapuri Taluk and District.

For Petitioner .. Mr.R.Thamaraiselvan
For Respondents .. Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner, challenging the proceedings of the District Revenue Officer dated 26.04.2016 filed a revision before the first respondent on 03.06.2016. As seen from the communication of the said authority dated 27.06.2016, the same is yet to be disposed of. Now, the present impugned show cause notice has been issued by the sixth respondent on the ground that the possession of the petitioner is unauthorized.

2.As submitted by the learned counsel appearing for the petitioner, the revision is admittedly pending as of now. Therefore, the sixth respondent ought not to have taken any action while awaiting final adjudication. Though the stay petition has been dismissed by the first respondent, we are of the view that inasmuch as the petitioner is admittedly in possession, it would be appropriate to await final decision from the first respondent before proceeding further.

3.In such view of the matter, the impugned show cause notice is directed to be kept in abeyance till the disposal of the revision by the first respondent pursuant to the letter issued in G1/10276/2016 dated 27.06.2016. As the matter is pending for more than three years, we direct the first respondent to dispose of the said revision filed against the proceedings of the District Revenue Officer, Dharmapuri in Na.Ka.No.13047/2012/D2 within a period of eight weeks from the date of receipt of a copy of this order.

4.With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

mmi/ssm

To

1.The Additional Chief Secretary/Commissioner,
Land Administration, Chennai - 9.

2.The District Collector,
Dharmapuri District, Dharmapuri - 5.

3.The District Revenue Officer,
Dharmapuri District,
Dharmapuri - 5.

4.The Revenue Divisional Officer,
Dharmapuri District, Dharmapuri - 5.

5.The Tahsildar,
Dharmapuri Taluk, Dharmapuri District.

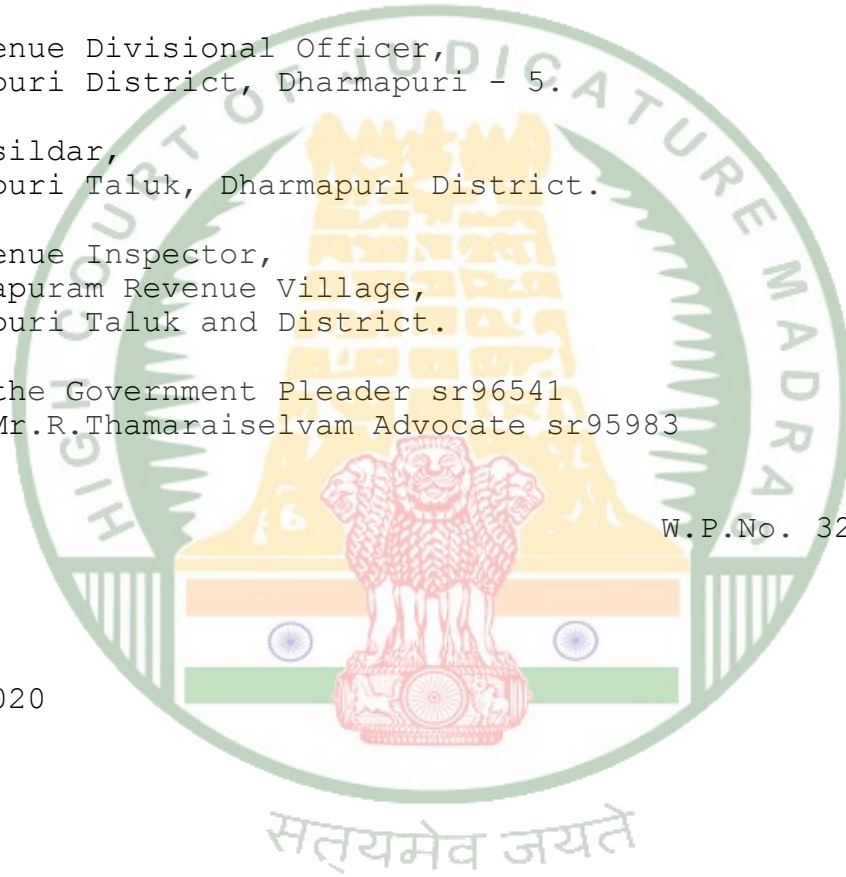
6.The Revenue Inspector,
Krishnapuram Revenue Village,
Dharmapuri Taluk and District.

+1 cc to the Government Pleader sr96541

+1 cc to Mr.R.Thamaraiselvam Advocate sr95983

W.P.No. 32331 of 2019

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