

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2019

CORAM

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.NO.26214 of 2018  
and W.M.P.Nos.30453 and 30459 of 2018

S.Jagadesan

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Petitioner

Vs

1 The District Collector  
Collectorate Road Krishnagiri Tamilnadu  
Pin - 635 115

2 The Revenue District Officer  
Survey No.559 Collectorate Campus  
Bangalore Road, Krishnagiri,  
Tamilnadu - 635 001

3 The Thasildar, Bargur Krishnagiri

4 The Village Administrative Officer  
Chinnamattarapalli, Bargur  
Krishnagiri.

5 K.Pandu

....

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to call for records of the 3rd Respondent proceedings under in Naka.No.4878/2017/Aa4 dated 15.05.2018 and quash the same as illegal and invalid and consequently direct the 3rd Respondent to accept the Government Tax from the petitioner for the 2C TAMARIND TREE standing in 2A OANI GOVERNMENT LAND bearing SURVEY NO.209/3 CHINNAMATTARAPALLI.

For Petitioner : Mr.N.Suresh

For Respondents 1-4 : Mr.R.Govindasamy, Special  
Govt.Pleader

R5 : Mr.Mukund R Pandiyan

O R D E R

The petitioner is aggrieved against the order of the third respondent dated 15.05.2018, wherein and whereby, the fifth respondent is granted with 2C patta. It is seen that the petitioner, apart from filing this writ petition challenging the order of the third respondent, has also filed an appeal before the second respondent, against the very same order of the third respondent and that the said appeal is still pending.

2. In the counter affidavit filed by the third respondent, it is stated that the petitioner has also filed an appeal before the second respondent and the said appeal is still pending. When such being the factual position, I do not think that the petitioner is entitled to maintain this writ petition any further. Accordingly, without expressing any view on the merits of the matter, this writ petition is disposed of, by granting liberty to the petitioner to work out his remedy in the appeal, which is filed and pending, since the appeal is filed after filing this writ petition. The second respondent shall dispose of the above appeal on merits and in accordance with law, after hearing the petitioner and the fifth respondent, and pass orders within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

KST

To

- 1.The District Collector,  
Collectorate Road,  
Krishnagiri.
- 2.The Revenue District Officer,  
Survey No.559 Collectorate Campus  
Bangalore Road, Krishnagiri,  
Tamilnadu - 635 001

3.The Thasildar,  
Bargur, Krishnagiri.

4.The Village Administrative Officer,  
Chinnamattarapalli,  
Bargur,Krishnagiri.

+2 ccs to Mr.N.Suresh, Advocate, S.R.No.20269

+1 cc to Mr.Mukund R.Pandiyar, Advocate, S.R.No.20037

W.P.No.26214 of 2018

PM(CO)  
SSM(27/03/2019)



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