

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Writ Petition No.3289 of 2020

R.Renu
W/o.Sankar

... Petitioner

Vs

1.The District Collector,
Collectorate, Salem.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Attur Taluk, Salem District.

3.The Tahsildar,
Taluk Office,
Attur Taluk,
Salem District.

4.The Deputy Superintendent of Police,
Attur Taluk, Salem District.

5.The Inspector of Police,
Attur Rural Police Station,
Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing second respondent to dispose of the petitioner's appeal dated 04.02.2020 within a time frame fixed by this Court.

For Petitioner : Mr.A.Rajakumar

For Respondents: Mr.E.Balamurugan
Special Government Pleader

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

Petitioner has filed the present petition seeking issuance of a Writ of Mandamus directing second respondent to dispose of the petitioner's appeal dated 04.02.2020 within a time frame fixed by this Court.

2. Heard learned counsel for petitioner and learned Special Government Pleader appearing for respondents.

3. Learned counsel for petitioner submits that the petitioner's grandfather was in possession of agricultural lands bearing S.No.14/4 and 14/2 totally admeasuring 1.50 acres of agricultural land, which is situated in Thenakudipalayam Village, Attur Taluk, Salem District, by way of a sale deed dated 17.11.1958 bearing Document No.3671 of 1957. Petitioner's grand father expired in the year 2003. Thereafter, petitioner is in possession and enjoyment of the same and petitioner's family has been in possession of the property for more than 60 years. S.No.14/2 is classified as Government land. While so, on the representation of some persons, third respondent issued a notice u/s.7 of the Tamil Nadu Land Encroachment Act. Petitioner, in order to submit a suitable reply, approached third respondent seeking issuance of patta. However, third respondent, without affording sufficient opportunity to petitioner, refused the same. Petitioner preferred an appeal dated 03.02.2020 u/s.10 of the Tamil Nadu Land Encroachment Act before the second respondent and the same is pending. Hence, the present Writ Petition has been filed seeking the aforesaid relief.

4. Considering the submissions made, this Court directs the second respondent to dispose of the petitioner's appeal dated 03.02.2020 within a period of eight weeks from the date of receipt of this order, after affording an opportunity of personal hearing to petitioner. Status quo, as on date, shall be maintained till the disposal of petitioner's appeal.

The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

gm

To

1.The District Collector,
Collectorate, Salem.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Attur Taluk, Salem District.

3.The Tahsildar,
Taluk Office,
Attur Taluk, Salem District.

4.The Deputy Superintendent of Police,
Attur Taluk, Salem District.

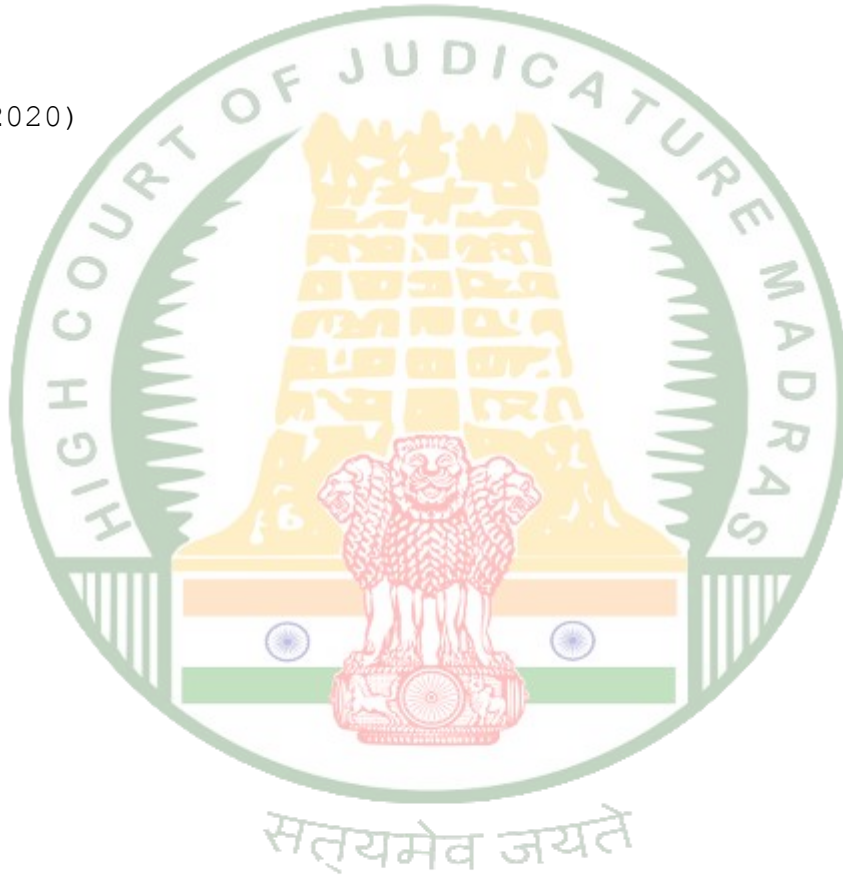
5.The Inspector of Police,
Attur Rural Police Station,
Salem District.

+1cc to Mr.A.Rajakumar, Advocate, S.R.No. 10814

+1cc to the Government Pleader, S.R.No.11404

Writ Petition No.3289 of 2020

CA(CO)
GN(17/02/2020)



WEB COPY