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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.13487 of 2020

and

W.M.P.No.16663 of 2020

The South India Assemblies of God
Represented by its Authorised Signatory
Pastor M.Benjamin Clifford,
having office at
No.6, Anna Salai,
Little Mount, Chennai - 600 015.

... Petitioner

.Vs.

1. The Assistant Settlement Officer (North),
Office of the Commissioner of Survey and Settlement,
Chepauk, Chennai - 600 005.
2. The Special Tahsildar,
Survey and Settlement,
Pallavaram,
Chennai - 600 043.
3. J.Paun
4. B.Suresh Kumar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st Respondent to dispose of the Appeal filed by the Petitioner before the 1st respondent in Appeal No.E2/14378 /2018.

For Petitioner : Mr.S.William

For R1 and R2 : Mr.A.Arul Doss
Government Advocate



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O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the 1st respondent to dispose of the appeal filed by the petitioner within the time limit prescribed by this Court.

2.The case of the petitioner is that the petitioner is the absolute owner of the subject property and the patta was wrongly issued in favour of the 3rd and 4th respondents. The petitioner, aggrieved by the same, filed an appeal before the 1st respondent on 26.11.2018. The further case of the petitioner is that the 3rd and 4th respondents have already filed their counter in the appeal and written arguments have also been submitted in the year 2019 itself. The grievance of the petitioner is that the appeal has not been disposed of till date. Therefore, left with no other alternative, the present writ petition has been filed before this Court seeking for appropriate directions.

3.Heard Mr.S.William, learned counsel for the petitioner and Mr.A.Arul Doss, learned Government Advocate, appearing on behalf of the respondents 1 and 2.

4.Taking into consideration the facts and circumstances of the case and the limited relief sought for in the writ petition, there shall be a direction to the 1st respondent to deal with the appeal filed by the petitioner on 26.11.2018 strictly in accordance with law and afford sufficient opportunity to the petitioner and the respondents 3 and 4 and pass final orders within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with a copy of this order.

This writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Assistant Settlement Officer (North),
Office of the Commissioner of Survey and Settlement,
Chepauk, Chennai - 600 005.



2. The Special Tahsildar,
Survey and Settlement,
Pallavaram,
Chennai - 600 043.

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+1cc to Mr.S.William, Advocate, SR.No.31724
+1cc to the Government Pleader, SR.No.31943

W.P.No.13487 of 2020

sv (co)
rr ii (10/11/2020)