

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.5167 of 2014

M.Govindappa Gowdu

...Petitioner

v.

1.The District Collector,
Krishnagiri District.

2.The Revenue Divisional officer,
Krishnagiri Taluk and District.

3.Ramakka

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the 2nd respondent herein to cancel patta relating to the lands unreasonably sub divided as S.Nos. 23/9A, 23/9C in Ariyanapalli Village, Krishnagiri in favour of 3rd respondent and restore the patta in favour of the petitioner namely, Govindappa Gowdu by cancelling the sub-divisions made in S.No.23/9.

For Petitioner : Mr. V. Gopalakrishnan

For Respondents : Ms. A. Mathumathi,
Special Govt. Pleader - for R1 & R2

O R D E R

सत्यमेव जयते

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the 2nd respondent to cancel the patta relating to the lands unreasonably sub divided as S.Nos. 23/9A, 23/9C in Ariyanapalli Village, Krishnagiri, in favour of the 3rd respondent and restore the patta in favour of the petitioner by cancelling the sub-divisions made in S.No.23/9.

2. Mr. V. Gopalakrishnan, learned counsel appearing for the petitioner submitted that the petitioner has filed an appeal before the District Revenue Officer challenging the issuance of patta as early as on 16.07.2012, however, the District Revenue Officer has not passed any order so far.

3. Ms.A.Mathumathi, learned Special Government Pleader appearing for the respondents 1 and 2 submitted that the District Revenue Officer may be directed to dispose of the appeal dated 16.07.2012, within a time frame, after giving notice to the petitioner as well as to the 3rd respondent.

4. Having regard to the submissions made by the counsel on either side, taking into consideration the limited prayer sought for by the learned counsel for the petitioner, without expressing any opinion with regard to the merits of the case, I direct the District Revenue Officer, Krishnagiri District, to dispose of the appeal dated 16.07.2012 filed by the petitioner, on merits and in accordance with law, after giving notice to the petitioner and other interested parties, within a period of twelve weeks from the date of receipt of a copy of this order.

With these observations, the Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Rj

To

1.The District Collector,
Krishnagiri District.

2.The Revenue Divisional officer,
Krishnagiri Taluk and District.

3.The District Revenue Officer,Krishnagiri Taluk.

+1cc to M/s.S.Gunalan, Advocate, S.R.No.26502

+1cc to the Government Pleader, S.R.No.26733

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VS (CO)
KKV/25/08/2020