

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.17837 of 2020

Amarnath, M/A, 48 years,
S/o.Jeyaraj,
No.5/11, 22nd Cross Street,
Indira Nagar, Chennai 600 020. Petitioner

Vs.

1.The District Collector,
Chengalpattu District.

2.The Revenue Divisional Officer,
Chengalpattu,
Chengalpattu District.

3.The Tahsildar,
Vandalur Taluk,
Chengalpattu District.

4.J.Srinivasan,
S/o.K.Jagannathan,
No.6, Sixth Cross Street,
C.I.T.Colony, Mylapore,
Chennai 600 004.

5.The Revenue Divisional Officer,
Tambaram ... Respondents

(R5 suo motu impleaded as per order of this Court
made in W.P.No.17837 of 2020 on 10.12.2020)

Prayer: This Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to dispose of the Appeal dated 05.10.2020 sent by the petitioner to cancel the patta issued in favour of the private respondent herein in respect of the petitioner's property situated at No.31, Thalambur Village, comprised in Old Survey No.1 in Paimash No.1 to 12, 27 to 39 and 54 to 60 in R.S.No.174 in patta No.75 to an extent of 2.5 acres out of 12.55 acres, and issue patta in favour of the petitioner, in accordance with law within a stipulated period.

For Petitioner: Mr.A.Thendral

For Respondents: Mr.E.Balamurugan (for R1 to R3 & R5)
Special Government Pleader

ORDER

The Revenue Divisional Officer, Tambaram, suo motu added as 5th respondent in this Writ Petition.

2.This Writ Petition has been filed for the issue of Writ of Mandamus, directing the 2nd respondent to dispose of the Appeal filed by the petitioner on 05.10.2020, wherein the petitioner is seeking for cancellation of the patta issued in favour of the 4th respondent.

3.Mr.E.Balamurugan, learned Special Government Pleader appearing on behalf of respondents 1 to 3 and 5 submitted that after bifurcation, the file has been sent to the impleaded 5th respondent and the 5th respondent has called the parties for an enquiry on 17.12.2020 at 03.00 pm. The learned counsel further submitted that the petitioner can be present at the time enquiry, along with all the relevant documents.

4.Taking into consideration the facts and circumstances of the case and also of the fact that the 5th respondent has already called the parties for enquiry, there shall be a direction to the 5th respondent to conduct the enquiry, after affording opportunity to the petitioner and the 4th respondent and pass final orders, strictly in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5.This Writ Petition is disposed of with the above directions. No costs

Sd/-
Asst. Registrar

//True Copy//

Sub Asst. Registrar

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To

1.The District Collector,
Chengalpattu District.

2.The Revenue Divisional Officer,
Chengalpattu, Chengalpattu District.

3.The Tahsildar,
Vandalur Taluk, Chengalpattu District.

4.The Revenue Divisional Officer, Tambaram

+1 C.C.to the Government Pleader, SR.NO.40418