

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.No.15130 of 2017

Balasundaram

... Petitioner

Vs.

- 1.The District Collector,
Cuddalore District,
Cuddalore - 607 001.
 - 2.The District Revenue Officer,
Cuddalore District,
Cuddalore - 607 001.
 - 3.The Revenue Divisional Officer,
Cuddalore.
 - 4.The Tahsildar,
Kurinjipadi Taluk,
Kurinjipadi.
 - 5.The Chief Secretary and
Commissioner of Land Reforms,
Chennai.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the respondents to issue separate patta in the name of the petitioner without any entry of pathway in respect of New S.No.179/3 Hec 0.15.5 = Old S.No.197/2 in Adoor Agaram Village, Kurinjipadi Taluk, Cuddalore District.

For Petitioner : Mr.R.Gururaj

For Respondents: Ms.A.Madhumathi,
Special Government Pleader (R1 to R4)
Mr.B.Kannan,
Government Advocate (R5)

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of mandamus directing the respondents to issue separate patta in the name of the petitioner without any entry of pathway in respect of New S.No.179/3 Hec 0.15.5 = Old S.No.197/2 in Adoor Agaram Village, Kurinjipadi Taluk, Cuddalore District.

2.Mr.R.Gururaj, learned counsel appearing for the petitioner submitted that challenging the order passed by the 2nd respondent dated 31.12.2010, the petitioner has preferred a revision before the 5th respondent in the year 2011 itself, however, the 5th respondent has not disposed of the same yet.

3.Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents 1 to 4 submitted that since the revision is pending for more than nine years, a direction may be issued to the 5th respondent to dispose of the revision within a time frame in accordance with law.

4.On a perusal of the materials available on record, it could be seen that the 5th respondent is keeping the revision dated 21.02.2011, filed by the petitioner, pending for more than nine years, which would definitely prejudice the petitioner.

5.In these circumstances, having regard to the submissions made by the learned counsel on either side, taking into consideration the pendency of the revision before the 5th respondent, I direct the 5th respondent to consider and pass orders on the petitioner's revision dated 21.02.2011, on merits and in accordance with law, after giving an opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

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

-s/d-

Assistant Registrar (CS-)

True Copy

Sub-Assistant Registrar

To

1.The District Collector,
Cuddalore District, Cuddalore - 607 001.

2.The District Revenue Officer,
Cuddalore District, Cuddalore - 607 001.

3.The Revenue Divisional Officer,
Cuddalore.

4.The Tahsildar,
Kurinjipadi Taluk, Kurinjipadi.

5.The Chief Secretary and
Commissioner of Land Reforms,
Chennai.

+1 cc Government Pleader,sr.26462.

Mg(co)
krd 25/8

W.P.No.15130 of 2017



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