



W.P.No.2974 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.2974 of 2019
and W.M.P.No.3244 of 2019**

Mr.A.Azhagesan

... Petitioner

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The District Revenue Officer,
Kancheepuram District,
Kancheepuram.

3.The Revenue Divisional Officer,
Chengalpet.

4.The Thasildar,
Thirukalukunram Taluk,
Chengalpet, Kancheepuram District.

(4th respondent cause title amended vide order dated 04.03.2019
made in W.M.P.No.6621/2019)

5.Mr.P.Devadoss

6.Mr.G.Narayanal

7.Mr.M.Nagoormeeran



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8.Mr.V.Dhanraj

9.Mr.B.Manikandan

10.Mr.Kanniappan

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent in Na.Ka.14840/2018 No.4 dated 08.09.2018 and quash the same and direct 1st respondent to consider the appeal dated 22.10.2018 preferred by petitioner challenging the impugned order after giving a personal hearing to all parties concerned.

For Petitioner : Mr.P.Subba Reddy

For R1 to R4 : Mr.B.Vijay
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records of the 2nd respondent in Na.Ka.14840/2018 No.4 dated 08.09.2018 and quash the same and direct 1st respondent to consider the appeal dated 22.10.2018 preferred by petitioner challenging the impugned order after giving a personal hearing to all parties concerned.



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2. In view of the limited relief sought for in this petition, On the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner had purchased an extent of 2.17 ares of land in S.F.No.206/2A, hankaranai Village, Thirukalakundram Taluk, Kancheepuram District, by way of a registered Sale Deed dated 15.05.2000, in Doc.No.1119 of 2000 and he has been granted patta under Patta No.385 as early as on 12.07.2002. While being so, the 4th respondent had illegally transferred the patta in respect of the petitioner's property, without any notice to him. Aggrieved by the same, the petitioner had filed an appeal before the Revenue Divisional Officer, Chengalpet and also challenging the illegal transfer, the petitioner made representations to the respondents 1 to 4, in which, the competent authority / 3rd respondent by way of an order dated 14.06.2018, considering all the facts and documentary evidence, setaside the mutation of records in favour of respondents 5 to 8. Further, challenging the order of the Revenue Divisional Officer, the respondents 5 to 8 preferred an appeal, whereby the



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2nd respondent has set aside the order of the 3rd respondent. Challenging the said order, the present petition has been filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 1st respondent to consider the petitioner's appeal dated 22.10.2018 and pass orders on the same within a particular time frame fixed by this Court.

5. The learned Government Advocate has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without interfering with the order impugned in the present writ petition, directs the 1st respondent to consider the petitioner's appeal dated 22.10.2018 on merits and in accordance with law, after giving an opportunity of personal hearing to all parties concerned. and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs. Consequently connected miscellaneous petition is closed.

02.12.2021

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Speaking Order/ Non Speaking Order

4/6



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Index: Yes/ No
Internet: Yes/ No

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To

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Kancheepuram District,
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- 4.The Thasildar,
Thirukalukunram Taluk,
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M.DHANDAPANI,J.
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