



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2021

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MS.JUSTICE R.N.MANJULA

W.A.No.914 of 2021

M.Palanisamy .. Appellant
Vs
1.The Tahsildar,
Coimbatore.
2.The Zonal Deputy Tahsildar,
Coimbatore North (02) Taluk,
Coimbatore (12) District.
3.The District Collector,
Coimbatore District. .. Respondents

Appeal filed under Clause 15 of the Letters Patent against the order dated 24.02.2021 made in W.P.No.26687 of 2019.

Prayer: Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to grant patta in S.No.709/2, 3 Kalapatti Village, Coimbatore Taluk, now bearing S.Nos.709/2A, 3A admeasuring 5.04 acres as made vide application No.2019/0103/12/178672 dated 27.06.2019 as sought vide representation dated 01.07.2019.

For Appellant : Mr.N.A.Nissar Ahmed

For Respondents : Mr.S.John J.Raja Singh
Government Counsel

JUDGMENT
(Delivered by M.M.SUNDRESH, J.)

This appeal has been preferred against the order of the learned Single Judge who, while accepting the contentions of the appellant, quashed the impugned proceedings of the second respondent and remitted the matter to the first respondent for fresh enquiry.



2. Learned counsel appearing for the appellant submitted that notwithstanding the civil suit, earlier sale deeds and the proceedings before this Court, the impugned order was passed. Though it was set aside, the learned Single Judge was wrong in asking the first respondent to conduct an enquiry.

3. We do not find any merit in this appeal. The learned Single Judge quashed the order of the second respondent and directed the first respondent to look into the matter. Therefore, this is not an adverse order against the appellant. Obviously, this Court expects the first respondent to look into the relevant materials including the sale deeds, the civil court decree and the orders passed by this Court. Appropriate orders will have to be passed within a period of eight weeks from the date of receipt of a copy of this judgment after affording an opportunity to the appellant.

4. The writ appeal stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1.The Tahsildar,
Coimbatore.

2.The Zonal Deputy Tahsildar,
Coimbatore North (02) Taluk,
Coimbatore (12) District.

3.The District Collector,
Coimbatore District.

+1cc to the Government Pleader, S.R.No. 28123

W.A.No.914 of 2021

PPA(CO)
GN(20/07/2021)