

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.10967 of 2021

D.Thirunavkarasu

... Petitioner

-Vs-

- 1 The District Collector,
Office of the District Collector,
Chengalpattu District,
Chengalpattu.
- 2 Assistant Land Reforms Officer (North),
Commissionerate of Land Reforms,
Survey House,
3rd Floor, Chepauk,
Chennai - 600 005.
- 3 Tahsildar (Revenue),
Tambaram Taluk,
Tambaram.
- 4 K. Rajavelu
No. 10 - 14 Sairam Avenue,
2nd Street, Valasarawakkam,
Chennai - 600 087.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd Respondent to furnish the copies sought by the 2nd Respondent vide letter dated 22.02.2021 and fix a time frame to dispose off the appeal in Na. Ka. No. 2 / 12750 / 2018 pending on the file of the 2nd respondent.

For Petitioner : Mr.K.M.Anand

For Respondents : Mr.E.Balamurugan,
Special Government Pleader -
for R1 to R3

No appearance - R4

O R D E R

(The case has been heard through video conference)

This Writ Petition has been filed seeking a direction, directing the 3rd respondent to furnish the copies sought by the 2nd respondent vide letter dated 22.02.2021 and fix a time frame to dispose of the appeal pending on the file of 2nd respondent.

2. The grievance of the petitioner is that, against the order of 3rd respondent cancelling the patta granted in favour of petitioner, the petitioner has filed an appeal before the 2nd respondent, in the year 2018, the appeal has also been numbered and the same is pending. Since the records relating to the cancellation of patta vide Proc. RPT No.49/2013 is available with the 3rd respondent, and it was not forwarded to the 2nd respondent appellate authority, the appeal could not be proceeded with. Despite several reminders sent by the 2nd respondent to the 3rd respondent, he has not forwarded the same to the appellate authority. In the said circumstances, seeking a direction to the 3rd respondent to forward the proceedings in RPT No.49/2013, dated 28.05.2014 to the 2nd respondent, the present Writ Petition has been filed.

3. Today, when the matter was taken up for hearing, Mr.E.Balamurugan, learned Special Government Pleader appearing for respondents 1 to 3, on instructions, would submit that suitable instructions has been issued to the 3rd respondent to forward the entire records to the 2nd respondent and he will forward the same within a period of three weeks from the date of receipt of copy of the order.

4. Recording the above submissions, the 3rd respondent Tahsildar is directed to send the records to the 2nd respondent within a period of three weeks from the date of receipt of a copy of this order. After receipt of records, the 2nd respondent is directed to consider the appeal and pass suitable orders on merits in accordance with law after hearing the petitioner within a period of twelve weeks thereafter. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

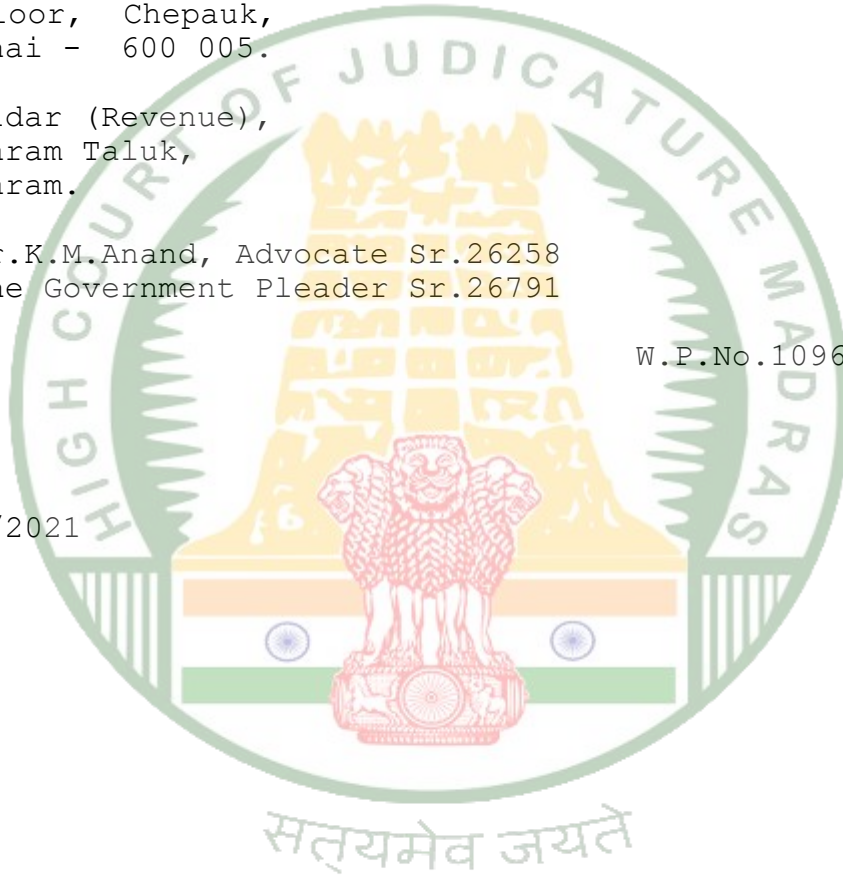
rpp
To

- 1 The District Collector,
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Chengalpattu.
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Tambaram.

+1cc to Mr.K.M.Anand, Advocate Sr.26258
+1cc to the Government Pleader Sr.26791

W.P.No.10967 of 2021

gj[col]
srg 06/07/2021



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