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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26..07..2021

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THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.14850 of 2021

P.K.Padmanabhan

... Petitioner

-Versus-

1.The Reserve Divisional Officer,
O/o. The Revenue Divisional Officer,
Madhuranthakam Taluk,
Madhuranthakam, Chengalpet 603 306.

2.The Tahsildar,
O/o. The Tahsildar,
Madhuranthakam,
Chengalpet 603 306.

3.Mr.B.Janakiraman

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to consider in the representation of the petitioner dated 02.08.2019 within a stipulated time after affording due opportunity of hearing to all the parties concerned.

For Petitioner	: Mr.R.Gopinath
For Respondent(s)	: Mr.Yogesh Kannadasan, Government Advocate for RR1 and 2

ORDER

[This matter has been heard through video conference]

This writ petition has been filed seeking a direction to the 1st respondent to consider the representation of the petitioner dated 02.08.2019 seeking joint patta within the stipulated time after affording due opportunity of hearing to all the interested persons.



2. It appears that the appeal preferred by the petitioner as against the order granting individual patta in the name of the 3rd respondent has been pending for disposal with the 1st respondent since 2019.

3. Earlier when the writ petition came up for admission, Mr.Yogesh Kannadasan, the learned Government Advocate, who took notice for the respondents 1 and 2, had sought time to get instructions on the status of the appeal filed by the petitioner before the 1st respondent.

4. Considering the submissions made on either side and the nature of the order, which is proposed to be passed in this writ petition, this court is of the view that notice to the 3rd respondent is not necessary and therefore, notice as against the 3rd respondent is dispensed with.

5. The learned counsel for the petitioner submitted that after the appeal was filed in the year 2019, the 1st respondent, by his order dated 02.08.2019, directed the 2nd respondent to conduct an enquiry and submit a report. Accordingly, the 2nd respondent had conducted an inquiry. But, there has been no progress thereafter.

6. The learned Government Advocate appearing for the respondents 1 & 2, on instructions, submitted that enquiry is still pending with the Tahsildar and as soon as the enquiry report is received, the 1st respondent would pass appropriate order as expeditiously as possible.

7. Considering the facts and circumstances of the case and the submissions made on either side, this court, without expressing anything on merits of the claim of the petitioner, directs the 1st respondent to consider the appeal filed by the petitioner and pass suitable orders thereon, after hearing the petitioner and the 3rd respondent on merits and in accordance with law and dispose of the same within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar



kmk

To

WEB COPY

1. The Reserve Divisional Officer,
Madhuranthakam Taluk,
Madhuranthakam,
Chengalpet 603 306.
2. The Tahsildar,
Madhuranthakam,
Chengalpet 603 306.

+1cc to the Government Pleader Sr.36285

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srg 23/08/2021