



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE **M.M. SUNDRESH**

AND

THE HONOURABLE MRS. JUSTICE **S. ANANTHI**

W.A. (MD) No. 602 of 2021

Katturaja : Appellant

Vs.

The Additional Director of Survey and Land Records (Survey),
Survey House,
Chepauk, Chennai - 600 005. : Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent as against the order dated 05.02.2021 made in W.P. (MD) No. 2063 of 2021.

Prayer in WP (MD). 2063 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Pleased to issue a Writ of Mandamus or any appropriate writ or order or direction in the nature of Writ of Mandamus directing the respondent herein to consider and dispose of the petitioners second appeal dated 21.11.2020 filed under Section 12A of the Tamil Nadu Survey and Boundaries Act 1923 along with the amended copy of second appeal dated 19.1.2021 within a stipulated period fixed by this Honourable Court and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

For Appellant : Mr. A. Saravanan

For Respondent : Mr. K. P. Krishnadoss,
Special Government Pleader

JUDGMENT

(Judgment of the Court was delivered by **M.M. SUNDRESH, J.**)

The appellant, being the writ petitioner, sought for disposal of the second appeal filed before the respondent on 21.11.2020, as amended on 19.01.2021, within a reasonable time. The learned Single Judge dismissed the said writ petition, holding that even in the first appeal, time for disposal has been granted by the Court.

2. We do find force and substance in the submission made by the learned Counsel appearing for the appellant. This is a statutory second appeal, invoking Section 12-A of the Tamil Nadu Survey and



Boundaries Act, 1923. The earlier direction sought for was for the first appeal, against which, the present second appeal has been filed, which, now the appellant seeks for early adjudication. Therefore, the reasoning of the learned Single Judge cannot be countenanced.

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3. In such view of the matter, this writ appeal stands disposed of, with a direction to the respondent herein to dispose of the second appeal said to have been filed by the appellant on 21.11.2020 and re-presented on 19.01.2021, within a period of eight weeks from the date of receipt of a copy of this judgment. There shall be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

gk

To

The Additional Director of Survey and Land Records (Survey),
Survey House,
Chepauk, Chennai - 600 005.

+3 CC to M/s.A.SARAVANAN, Advocate (SR-12613[F] dated 19/03/2021)

+1 CC to M/s.SPL GP (SR-12777[F] dated 22/03/2021)

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19.03.2021

AC (CO)

TR (07.04.2021) 2P 6C