



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.2092 of 2022

S. Richard

... Petitioner

Vs.

1. The District Revenue Officer (Land Reforms),
V.O.C. Nagar, Chengalpattu - 603 001.
2. The Revenue Divisional Officer (Land Reforms),
Office at Tambaram,
Chennai - 600 126.

3. Dr.V.Padmini

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent herein to dispose the appeal dated 03.11.2021, submitted by the petitioner herein, pending before the 1st respondent herein, within the stipulated period on merits as prescribed by this Court.

For Petitioner : Mr.G.Thangavel

For Respondents : Mr.T.Chezhiyan
Special Government Pleader

O R D E R

The petitioner has filed this petition seeking issuance of writ of Mandamus, directing the 1st respondent herein to dispose the appeal dated 03.11.2021, submitted by the petitioner herein, pending before the 1st respondent herein, within the stipulated period on merits as prescribed by this Court.

2. The case of the petitioner is that the petitioner is the absolute owner of the property through the Settlement Deed executed by his father, who got the property vide Assignment Order dated 27.05.1997 and from the date of execution of Settlement Deed, the petitioner is in possession and enjoyment.



When the petitioner applied for demarcation of the property, the authority concerned failed and neglected to do the needful, instead the 2nd respondent issued the show cause notice dated 13.08.2021 and called for the explanation, however, the petitioner also furnished the explanation on 23.08.2021. In that circumstances, the 2nd respondent alleged to have received a petition from the adjacent owner / 3rd respondent and the 2nd respondent was influenced by the 3rd respondent to conduct enquiry, in respect of the property already assigned on 27.05.1997 in favour of his deceased father, who in turn settled the said property in his favour under valid Settlement Deed dated 12.02.2007. Subsequently, the 2nd respondent in a hurried manner passed the order dated 30.09.2021, cancelling the Assignment Order dated 27.05.1997. Aggrieved by the same, the petitioner has preferred an appeal before the 1st respondent, however the same has been kept pending without consideration. Hence, the petitioner is before this Court, by way of this petition.

3. 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 dispose the petitioner's appeal dated 03.11.2021 and pass orders on the same within a particular time frame fixed by this Court.

4. The learned Special Government Pleader has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 1st respondent to consider the petitioner's appeal dated 03.11.2021 on merits and in accordance with law 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.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

sk

To

1. The District Revenue Officer (Land Reforms),
V.O.C. Nagar, Chengalpattu - 603 001.



2. The Revenue Divisional Officer (Land Reforms),
Office at Tambaram,
Chennai - 600 126.

WEB COPY

+1cc to Mr.G.Thangavel, Advocate, S.R.No.8522

+1cc to the Government Pleader, S.R.No.9249

W.P.No.2092 of 2022

GSM(CO)
SU(09/03/2022)