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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.6680 of 2022  
W.M.P.No.6765 of 2022

Pusamooppar

... Petitioner

Vs.

1.The State of Tamil Nadu,  
Represented by its Secretary to Government,  
Revenue Department, Fort St.George,  
Chennai - 600 009.

2.The Principal Secretary &  
Commissioner of Land Administration,  
Chepauk, Chennai - 600 005.

3.The District Revenue Officer,  
Kallakurichi - 603 301.

4.The Revenue Divisional Officer,  
Kallakurichi District - 603 301.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the third respondent herein from taking coercive steps from dispossessing or interfering with the peaceful possession and enjoyment of the petitioner's land situate at Survey No.84, Pusapadi village, Chinna Salem Taluk, Kallakurichi District, pending disposal of the Appeal in File No.G12072204/2022 on the file of the second respondent herein.

For petitioner : Mr.A.Rajendra Kumar

For Respondents : Mr.V.Veluchamy  
Additional Government Pleader



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#### ORDER

The petitioner has filed this petition to forbear the third respondent herein from taking coercive steps from dispossessing or interfering with the peaceful possession and enjoyment of the petitioner's land situate at Survey No.84, Pusapadi village, Chinna Salem Taluk, Kallakurichi District, pending disposal of the Appeal in File No.G12072204/2022 on the file of the second respondent herein.

2. Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the disputed properties comprised in Survey Nos.14/1, 76, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, 88 & 89, situated at Pusappadi Village, Chinna Salem Taluk, Kallakurichi District. The said properties are claimed to be panchami lands. However, other community people encroached the property. Whereby, the Adi Dravida Welfare Commission issued notice to the District Administration. Thereafter, the District Administration conducted the enquiry, after issuing notice to the necessary parties and arrived to a conclusion that property in S.No.84 is classified as panchami land. However, during the UDR Scheme, the Patta was granted in favour of individuals. After conducting enquiry, the patta which was issued in favour of several persons was cancelled and property in S.No.84 is restored as Panchami land in the revenue records. Challenging the same, the petitioner filed an appeal before the second respondent on 01.03.2022. However, till date no action has been taken by the respondents. Hence, the present Writ Petition has been filed by the petitioners for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court may issue direction to the second respondent to dispose of the appeal filed by the petitioner dated 01.03.2022 and pass appropriate orders within the time frame that may be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents submits that the appeal filed by the petitioner dated 01.03.2022, will be considered and disposed of by the second respondent within the time frame that may be fixed by this Court.



6. The facts in the present case are not in dispute. Admittedly, the petitioner filed an appeal before the second respondent on 01.03.2022, within a period of 20 days he approached this Court which is not sustainable. However, this Court inclined to issue direction to the second respondent to decide the appeal as expeditiously as possible on the basis of seniority.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

tri/nhs

To

- 1.The Secretary to Government,  
State of Tamil Nadu,  
Revenue Department, Fort St.George,  
Chennai - 600 009.
- 2.The Principal Secretary &  
Commissioner of Land Administration,  
Chepauk, Chennai - 600 005.
- 3.The District Revenue Officer,  
Kallakurichi - 603 301.
- 4.The Revenue Divisional Officer,  
Kallakurichi District - 603 301.

+lcc to Mr.T.C.Gopalakrishnan, Advocate SR.No.19781  
+lcc to the Government Pleader, SR.No.20662

W.P.No.6680 of 2022  
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PMK (CO)  
CB(12/04/2022)