



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.7393 of 2022

R.Sampath

... Petitioner

Vs.

1. The District Collector,
Chennai District,
Singaravelar Maaligai,
Rajaji Salai,
Chennai-600 001.
2. The Tahsildar,
Perambur Taluk Office,
Perambur, Chennai-600 012.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to dispose the petitioner's statutory appeal dated on 15.11.2021 within a time frame that may be fixed by this Hon'ble Court.

For Petitioner : Mr.M.Saravana Kumar

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the 1st respondent to dispose the petitioner's statutory appeal dated on 15.11.2021 within a time frame fixed by this Court.

2. The learned Special Government Pleader takes notice for the official respondents. In view of the limited relief sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.



3. The case of the petitioner is that the petitioner is the owner of the property in Survey No.114/1, TS No.11, Block No.2 Erukkancaherry, Nehru Nagar, No.28 Muthumariyamman Koil Street, Chennai. The petitioner filed a statutory appeal before the first respondent on 15.11.2021. However, till date no orders have been passed. Hence, this Writ Petition is filed with the aforesaid prayer.

4. The learned counsel appearing for the petitioner submitted that as per Tamil Nadu Patta Pass Book Act, the appeal remedy is available before the Revenue Divisional Officer in terms of Section 12 of the said Act, inadvertently, the petitioner has filed appeal before the District Collector. Hence, this Court may permit the petitioner to file appropriate appeal before the Revenue Divisional Officer.

5. The Special Government Pleader appearing on behalf of the official respondents has no serious objection for adopting the above course by this Court.

6. Considering the limited relief sought for by the learned counsel for the petitioner, this Court, permit the petitioner to file appropriate petition, before the Revenue Divisional Officer, within a period of two weeks from the date of receipt of a copy of this order. If such petition is filed, the Revenue Divisional Officer is directed to consider the same, in accordance with law, and pass appropriate orders, after providing an opportunity of hearing to the petitioner and to the aggrieved parties if any, within a period of twelve weeks thereafter.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The District Collector,
Chennai District,
Singaravelar Maaligai,
Rajaji Salai, Chennai-600 001.



2. The Tahsildar,
Perambur Taluk Office,
Perambur, Chennai-600 012.

3. The Revenue Divisional Officer,
Perambur, Chennai-600 012.

+1cc to Mr.M.Saravana Kumar, Advocate, S.R.No.21637
+1cc to the Government Pleader, S.R.No.22263,21049

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MT[co]
NSK 11/04/2022