



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. NO. 7170 OF 2022
AND W.M.P.NO.7194 OF 2022

S.Kannan

...Petitioner

Vs.

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

2.The Revenue Divisional Officer,
Coimbatore South Revenue Division,
Coimbatore - 641 018.

3.The Tahsildar,
Perur,
Coimbatore - 641 010.

4.Raju

5.Vijayalakshmi

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to implement the order passed by the second respondent within a time frame fixed by this Hon'ble Court.

For Petitioner	:	Mr.L.P.Maurya
For Respondents	:	Mr.V.Veluchamy
R1 to R3	:	Additional Government Pleader

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the third respondent to implement the order passed by the second respondent within a time frame fixed by this Hon'ble Court.



2. Mr.V.Veluchamy, learned Additional Government Pleader, takes notice for the respondents 1 to 3. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission itself. No adverse order is passed against the fourth and fifth respondents and hence, their presence is dispensed with.

3.The facts of the case are as follows:

The case of the petitioner is that the petitioner claims that he is the owner of the property in Survey No.263/1, to an extent of 20 cents situated at Coimbatore South Circle, Vedapati Village. It is the further case of the petitioner is that the Revenue officials created sub divisions and the fourth and fifth respondents were granted patta to an extent of 10 cents in Patta No.537. Objecting the same, the petitioner made an application on 13.11.2015, before the second respondent. The second respondent by an order dated 09.11.2017, issued direction to the third respondent to cancel the sub divisions viz., Survey No.263/1A1 and Survey No.263/1A2 and issued direction to measure the property in Survey No.263/1 and also to issue separate patta in favour of the respective persons based on their title. However, till date, the said order dated 19.11.2017 was not implemented and hence the present writ petition is filed.

4. The learned counsel for the petitioner submitted that this Court without going to the merits of the case, may issue a direction to the third respondent to implement the order dated 09.11.2017 passed by the second respondent within the stipulated time as fixed by this Court.

5. Learned Government Advocate submitted that the petitioner's representation will be considered and appropriate orders will be passed on merits within the time frame to be fixed by this Court.

6. Heard, the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondent and perused the materials available on record.

7. Considering the submissions of the learned counsels, this Court without going into the merits of the case, directs the third respondent to implement the order passed by the second respondent dated 09.11.2017, after affording an opportunity of hearing to the petitioner as well as the fourth and fifth respondents herein and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy this order.



WEB COPY

8. With the above directions, this writ petition stands disposed of. Consequently, connected Miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

mn/rli

To

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

2.The Revenue Divisional Officer,
Coimbatore South Revenue Division,
Coimbatore - 641 018.

3.The Tahsildar,
Perur,
Coimbatore - 641 010.

+1cc to M/s.L.P.Maurya, Advocate, Sr.No.20897

+1cc to the Special Government Pleader, Sr.No.21389

W.P.No.7170 of 2022

SKN(CO)
RVM(08/04/2022)