



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.7788 of 2022

Jinrich Marshall Amaldas

... Petitioner

Vs.

1. The District Collector,
Chengalpattu - 603002.

2. The District Revenue Officer,
Chengalpattu.

3. The Revenue Divisional Officer,
Tambaram, Chengalpattu District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to pass an order upon the appeal filed by this petitioner on 28.10.2021, after considering the additional grounds of appeal filed on 05.01.2022 within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr.S.Kamalesh Kannan

For Respondents : Mr.P.Sathish
Additional Government Pleader

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the second respondent to pass an order upon the appeal filed by this petitioner on 28.10.2021, after considering the additional grounds of appeal filed on 05.01.2022 within a time frame fixed by this Hon'ble Court.

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



3. The case of the petitioner is that the land comprised in S.No.237/2A2B1, (presently S.No.237/2A2C) measuring an extent of 1 Acre situated at Agaramthen Village was assigned in favour of the petitioner's grand father under Section 94 of Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961, on 11.09.1991. Subsequently, it appears that the petitioner violated the conditions of assignment, thereby, the third respondent cancelled the assignment on 01.10.2021. Aggrieved by the same, the petitioner preferred an appeal before the second respondent on 28.10.2021. However, till date, no order has been passed on the same. Hence, the present petition is filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the second respondent to consider the petitioner's appeal dated 28.10.2021 and pass orders on the same within a particular time frame fixed by this Court.

5. The learned Government Advocate has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioner's appeal dated 28.10.2021 and to dispose of the same, after affording an opportunity of hearing to the petitioner and pass appropriate orders on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

mn

To

1. The District Collector,
Chengalpattu - 603002.
2. The District Revenue Officer,
Chengalpattu.



3. The Revenue Divisional Officer,
Tambaram, Chengalpattu District.

WEB COPY

+1cc to Mr.S.Kamalesh, Advocate, S.R.No.22583

+1cc to the Government Pleader, S.R.No.23239

W.P. No.7788 of 2022

GPL (CO)
SU(21/04/2022)