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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.15094 of 2022

V.Prakasam

... Petitioner

Vs.

1.The District Revenue Officer,
Dharmapuri District,
Dharmapuri.

2.Chinna Ponu

3.Akila

4.Murugesan

5.Ponni

6.Manoharan

7.Kannagi

8.Akilan

9.Rani

10.Janaki

...Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to dispose of the petitioner appeal dated 14.02.2022 pending on the file of the 1st respondent within a stipulated time frame as prescribed by this Court.

For Petitioner : Mr.R.Jayaprakash

For Respondents: Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the 1st respondent to dispose of the petitioner appeal dated 14.02.2022 pending on the file of the 1st respondent within a stipulated time frame as prescribed by this Court.



2.The learned counsel appearing for the petitioner would submit that the petitioner occupied the land comprising in S.No.27/2 subdivided as 27/4, Thottampatty Circle, Pachinampatty Village. The petitioner was evicted under the Tamil Nadu Land Encroachment Act, 1905 for the abovesaid land.

3. Subsequently that land was re-classified as a Grama Natham during the year 2000 and the second respondent was allotted the said land to the various person, though they are not qualified to get the allotment order. Thereafter, the petitioner made a representation to the first respondent for issuance of patta for allotting the land but the same was not considered.

4. Hence, the petitioner filed a writ petition before this Court in WP.No.26981 of 2011 and this Court by its order dated 19.12.2018 issued a direction to the respondents therein to pass appropriate orders, pursuant to which, the Sub-Collector rejected the petitioner's representation on 04.02.2020, against which the petitioner preferred an appeal before the District Revenue Officer on 14.02.2022 and till date, the appeal has not disposed. Hence, the present writ petition has been filed seeking the abovesaid prayer.

5.The learned counsel appearing for the petitioner submits that it would suffice if this Court issues direction to the first respondent to consider the petitioner's representation dated 14.02.2022 and pass orders on the same within a particular time frame fixed by this Court.

6.The learned Government Advocate has no objection for said order being passed and he fairly conceded that the petitioner's representation dated 14.02.2022 will be considered and appropriate orders will be passed within the time stipulated by this Court.

7.Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's application made on 14.02.2022, on merits and in accordance with law and after providing opportunity to the necessary parties, pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.



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8. This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

vs/kbs

To

The District Revenue Officer,
Dharmapuri District,
Dharmapuri.

+1cc to Mr.R.Jayaprakash, Advocate SR.No.37113

+1cc to Government Pleader SR.No.37627

W.P.No.15094 of 2022

RR (CO)
GMY (01/07/2022)