



WEB COPY



W.P.No.28726 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.28726 of 2022

Chenjurmaiah

... Petitioner

Vs.

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Pooneri Division, Ponneri,
Thiruvallur District.

3.The Tahsildar,
Gummidipoondi Taluk,
Thiruvallur District.

4.The Zonal Deputy Tahsildar,
Gummidipoondi Taluk,
Tiruvallur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the first respondent to pass orders on the appeal dated 21.09.2022.



W.P.No.28726 of 2022

For Petitioner : Mr.C.Balasundar

For Respondents : Mr.U.Bharanidharan,
Additional Government Pleader

ORDER

The petitioner has filed this petition for issuance of Writ of Mandamus directing the first respondent to pass orders on the appeal dated 21.09.2022.

2. With the consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that the petitioner is the owner of the land comprised in S.No.299/10 measuring an extent of 40.5 ares situated at No.6, Pallavada Village, Gummidipoondi Taluk, Thiruvallur District. In order to measure the aforesaid subject property, the petitioner requested the third respondent, but, no effective measures were taken by the authorities to measure the land. This being the case, one Sumathi made a petition before the third respondent to cancel the patta issued in favour of the petitioner and during the pendency of the RDO proceedings, the fourth respondent had transferred the patta in favour of legal heirs of aforesaid Sumathi. Therefore,



the petitioner made a complaint to the Grievance cell through online and thereafter, the petitioner came to know that the second respondent has passed an order dated 06.07.2022 and cancelled the patta stands in the name of petitioner. Challenging the order dated 06.07.2022 passed by the second respondent, the petitioner made an appeal before the first respondent, however, till date, no order was passed. Hence, this writ petition.

4. Learned counsel for the petitioner would submit that it would suffice if this Court issues direction to the first respondent to pass orders on the petitioner's appeal dated 21.09.2022 within a time frame that may be fixed by this Court.

5. Heard the learned counsel for the petitioner and perused the materials placed on record.

6. In view of the above submission made by the learned counsel for the petitioner, it is clear that though an effective remedy available before the District Revenue Officer, the petitioner has inadvertently made an appeal before the District Collector/first respondent, therefore, this Court grants



W.P.No.28726 of 2022

liberty to the petitioner to file appropriate appeal before the Revisional Authority/District Revenue Officer under Section 13 of Patta Pass Book Act, 1983, within a period of two weeks from the date of receipt of a copy of this order. On such revision being filed, the District Revenue Officer shall consider and dispose of the same on merits and in accordance with law as expeditiously as possible.

7. With the aforesaid direction, this writ petition is disposed of. No costs.

01.11.2022

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Index : Yes/No

Speaking Order : Yes/No



W.P.No.28726 of 2022

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M.DHANDAPANI,J.

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