



W.P.No.5452 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.5452 of 2023

Chokku alias Chokkalingam Petitioner

-Vs-

- 1 The District Collector
Krishnagiri District Krishnagiri
- 2 The District Revenue officer
Krishnagiri District Krishnagiri
- 3 The Revenue Divisional Officer
Krishnagiri District Krishnagiri
- 4 The Tahsildar
Krishnagiri District Krishnagiri
- 5 Saravanan

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondents 2 and 3 herein to dispose of the petitioners Appeal dated 16.08.2022 and consequently cancel the sub division made by the Revenue officials vide proceedings TK / 8A / 267 / 1415 dated 22.10.2005 as well as Patta No. 2889 with regard to the petitioners property comprised in survey No. 556 / 2 and 556 / 2A1 having an extent of 0.55.0 Hectares situated at Agasipalli village Krishnagiri District.



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For Petitioner : Mr.R.Ramesh
For Respondents : Mrs.N.Senthilselvi
Government Advocate – for RR 1 to 4
Notice dispensed with – for R5

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the Respondents 2 and 3 herein to dispose of the petitioners Appeal dated 16.08.2022 and consequently cancel the sub division made by the Revenue officials vide proceedings TK / 8A / 267 / 1415 dated 22.10.2005 as well as Patta No. 2889 with regard to the petitioners property comprised in survey No. 556 / 2 and 556 / 2A1 having an extent of 0.55.0 Hectares situated at Agasipalli village Krishnagiri District.

2. With regard to the subdivision patta issued by the 4th respondent, the petitioner had preferred an appeal under the Patta Passbook Act to the 3rd respondent Revenue Divisional Officer on 16.08.2022 and the said appeal so far has not been decided by the 3rd respondent. Therefore, in order to decide the said appeal within a time frame on merits and in accordance with law, the petitioner has moved the present writ petition.



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3. Heard the learned counsel for the petitioner and the learned Government Advocate for the official respondents. In view of the order that is going to be passed in this writ petition, notice to the private respondent is hereby dispensed with.

4. Learned Government Advocate would submit that, insofar as the said appeal filed and is pending before the 3rd respondent is concerned, the same will be decided after giving an opportunity of being heard to both the petitioner as well as the 5th respondent on merits and in accordance with law within a time frame that may be stipulated by this Court.

5. Considering the said submission made by the learned Government Advocate this Court directs the 3rd respondent to consider the appeal filed by the petitioner dated 16.08.2022 and after giving an opportunity of being heard to the petitioner as well as the 5th respondent the same shall be decided on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. With the above directions, this writ petition is disposed of. No costs.

24.02.2023

Index : Yes/No
Speaking Order / Non-speaking order
KST



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R. SURESH KUMAR, J.

KST

To

- 1 The District Collector
Krishnagiri District Krishnagiri
- 2 The District Revenue officer
Krishnagiri District Krishnagiri
- 3 The Revenue Divisional Officer
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- 4 The Tahsildar
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