



W.P.No.31193 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.31193 of 2023

and

W.M.P.No.30827 of 2023

M.Sobitha Kumar
S/o.Messiah Dhas

... Petitioner

versus

1. The District Revenue Officer
Central Chennai
Maduravoyal
Chennai.
2. The Revenue Divisional Officer
Central Chennai Maduravoyal
Chennai-600 095.
3. The Tahsildar
Maduravoyal Taluk
Maduravoyal
Chennai-600 095.
4. Rajini's New Life Complex Welfare Association
No.15, Arcot Salai
Porur, Chennai-600 116.

...Respondents



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Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by 2nd respondent in Na.Ka.No.A3/5502/2022 dated 03.06.2023 and to quash the same and consequently, to direct the 1st respondent to consider the petitioner's appeal petition dated 22.06.2023 and to issue patta in favour of petitioner in respect of the property measuring to an extent of 3369 sq.ft situated at Arcot Road, comprised in Survey No.442/4A part of Maduravoyal Village, Chennai District and dispose the same within the time.

For Petitioner : Mr.M.Silambarasan
For Respondents : Mr.R.P.Murugan Raja
Government Advocate
for R1 to R3

ORDER

Mr.R.P.Murugan Raja, learned Government Advocate accepts notice for respondents 1 to 3.

2. This writ petition has been filed seeking to quash the impugned order dated 03.06.2023 passed by the 2nd respondent bearing reference Na.Ka.No.A3/5502/2022 and consequently, to direct the first respondent to consider the petitioner's appeal petition dated 22.06.2023 wherein and



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whereby he sought for issuance of patta in his favour in respect of the property measuring to an extent of 3369 sq.ft situated at Arcot Road, comprised in Survey No.442/4A part of Maduravoyal Village, Chennai District and dispose of the same.

3. The main grievance of the writ petitioner is that, even though the petitioner filed an appeal petition dated 22.06.2023 before the first respondent, the same has not been considered so far.

4. Learned Government Advocate for the respondents submits that appeal filed by the writ petitioner is still pending before the first respondent.

5. Pending appeal, the certiorari limb of the prayer sought for by the writ petitioner cannot be granted.

6. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent to consider and decide the appeal on its own merits and in accordance with



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law. Thus, without expressing any view on the merits of the matter, the

Writ Petition is disposed of only by directing the first respondent to consider the appeal filed by the petitioner and pass orders on the same on merits and in accordance with law, after affording an opportunity of hearing, within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

31.10.2023

Speaking/Non-speaking order

Index: Yes/No

Neutral Citation : Yes/No

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To

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Maduravoyal
Chennai.
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Pg.Nos.4/5



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